



Broward County Public Schools Police Special Investigative Unit

SBBC POLICY 4.9 – CORRECTIVE ACTION

Education Support Professionals
New Hire Orientation
October 23, 2023

Corrective Action

INTENT & PURPOSE OF SBBC POLICY 4.9

Employees are expected to comply with workplace policies, procedures and regulations; local, state, and federal laws; and State Board Rules, both in and out of the workplace. The District's corrective action policy is designed to improve and/or change employees' job performance, conduct, and attendance. Supervisors are encouraged to continually provide coaching, counseling, feedback and/or additional support to help ensure each employees' success. It is the intent of the School Board to treat all employees fairly and equitably in the administration of corrective action, while also ensuring employees are held accountable and responsible for the expectations of their position. This policy applies to all District employees except temporary and substitute employees.



Corrective Action

DEFINITIONS

- “Employee” or “school district personnel” includes all regular full-time or regular part-time persons who are employees at the time of the alleged incident or at the time a personnel investigation is commenced. The term “employee” or “school district personnel” does not include substitutes or temporary employees.
- “Just Cause” is defined as a standard of reasonableness used to evaluate whether a preponderance of evidence exists that a person has committed the alleged act or acts, and that the alleged act or acts warrant corrective action.



Corrective Action

CORRECTIVE ACTION

In dealing with employee misconduct, corrective action shall be issued except in situations where immediate steps must be taken to ensure student/staff safety and loss prevention.

The types of corrective action may include but are not limited to the following employment actions: verbal reprimands, written reprimands, suspension without pay, demotion, or termination of employment. There are other types of actions to encourage and support the improvement of employee performance, conduct or attendance that are not considered disciplinary in nature. These actions may include, but are not limited to: coaching, counseling, meeting summaries, and additional training.



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There are certain acts of misconduct that are so offensive as to render an employee as no longer employable.

There are other acts of misconduct considered to be so egregious, problematic or harmful that the employee may be immediately removed from the workplace until such time a workplace investigation is completed.



Corrective Action

PROCEDURAL GUIDELINES FOR WORKPLACE FACT-FINDING INQUIRIES/INVESTIGATIONS

The purpose of a workplace fact-finding inquiry/investigation is to determine if Just Cause exists relative to an employee's alleged acts of misconduct; and, if so, to make a recommendation to the Superintendent of Schools to determine the appropriate level of corrective action.

All such fact-finding inquiries/investigations will comply with the due process provisions. All such fact-finding inquiries/investigations will be reviewed with the Employee & Labor Relations Department for guidance relative to corrective action.



Corrective Action

GUIDELINES FOR SIU INVESTIGATIONS

Investigations must be authorized by the Chief, SIU or his/her designee.

The employee shall be provided a statement of the factual allegations under investigation (date, time, and place, as available) and a copy of Board Policy 4.9, Section V. In no event shall such notice be delayed for a period of more than six (6) calendar days.

The investigation will be complete within eighty-four (84) calendar days from the date the employee receives the written notification of the initiation of the investigation.

Until the employee receives a copy of the Investigative Report, the employee is prohibited from contacting the complainant or any witness in any manner, directly or indirectly, regarding the allegations or any issues related

The employee shall be permitted thirty (30) calendar days after receipt of the Investigation Report, unless an extension is granted in writing



Corrective Action

GUIDELINES FOR THE PROFESSIONAL STANDARDS COMMITTEE

The PSC shall be appointed by the Superintendent.

The PSC's powers are limited to performing a managerial function under the direct supervision of the Office of the Superintendent of Schools.

- The PSC has no subpoena powers and no powers to take sworn testimony or other evidence under the Florida Rules of Evidence.

At the PSC meeting, the employee, with or without representation, shall be allowed an opportunity, up to twenty (20) minutes to present his/her response to the allegations.

The SIU Chief or designee shall provide written notice to the employee of the PSC's recommendation within ten (10) calendar days of the date the PSC meeting was held.



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GUIDELINES FOR THE PROFESSIONAL STANDARDS COMMITTEE

If the recommendation is for Just Cause, a pre-disciplinary conference shall be noticed to be held within thirty (30) calendar days from the date of the PSC meeting. Said conference shall be recorded and a transcript will be available to the employee at his or her expense. The employee and/or his representative has an opportunity to present reasons and submit additional information and documentation to the SIU Chief or designee (SIU Personnel Administrator), either in person or in writing, as to why the proposed recommended corrective action should not be imposed.

The Superintendent shall have authority, at his/her discretion, to complete and/or bring to closure and final disposition any pending personnel investigation.





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Individuals with disabilities requesting accommodations under the Americans with Disabilities Act Amendments Act of 2008, (ADAAA) may call Equal Educational Opportunities/ADA Compliance Department at 754-321-2150 or email eeo@browardschools.com.

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