



02 14 2017 Special School Board Meeting 9 00 AM

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Pledge of Allegiance

Call Meeting to Order

Acceptance of Agenda

1. [Accept the Agenda for the February 14, 2017 Special School Board Meeting](#)

Motions:

Motion to accept the agenda for the February 14, 2017 Special School Board Meeting. - PASS

Vote Results

Motion: Lori Cunningham

Second: Hazel Sellers

Lori Cunningham - Aye

Kay Fields - Aye

Tim Harris - Aye

Sara Beth Reynolds - Aye

Hazel Sellers - Aye

Billy Townsend - Aye

Special Recognitions

Public Comments on Agenda Items

Approval of Minutes

Approval of Consent Agenda

New Administrator Announcements

Consent

Regular

Human Resource Services Recommendations

2. [Brenda Bohlinger Hearing - Exceptions to Final Order of Termination](#)

Attachment: [2-14-17 Superintendent's Executive Summary - Brenda Bohlinger Instructional.pdf](#)

Attachment: [2-14-17 Bohlinger, Brenda ALJ 11-28-16 Recommended Order 17p.pdf](#)

Attachment: Bohlinger, Brenda DOAH Hearing Transcript 9-30-16 73p.pdf (Confidential Item)

Attachment: [2-14-17 Bohlinger, Brenda 12-13-16 Exceptions to ALJ Rec Order 30p.pdf](#)

Attachment: [2-14-17 Brenda Bohlinger DOAH 9-30-16 Hearing Transcript Note.pdf](#)

Minutes:

Branden Vicari, Counsel for Brenda Bohlinger, discussed exceptions to the findings of the Administrative Law Judge's (ALJ) recommendation for termination of employment. He stated the recommendation is unfair and illegal based on an alleged rule that the staff member had no knowledge of. The contention is there is no rule that stated she must teach at a school on the dates she identified for travel reimbursement. Attorney Vicari asked that Ms. Bohlinger be reinstated to her former position and have the opportunity to pay back the money she requested for travel reimbursement.

Attorney Don Wilson, Counsel for the Board, explained that in her position as an itinerant physical education coach, Ms. Bohlinger travelled to various campuses in the county. Today's action stems from accumulated progressive discipline steps against Ms. Bohlinger combined with the most recent instances of fraudulent mileage reimbursement claims on dates that she either did not go to the campus indicated, or did not teach a class. There is no evidence she

was on the campuses that she indicated except her own testimony. The ALJ found her testimony was not credible and therefore recommended her termination based on the fact that she was seeking reimbursement for travel she was not eligible for.

Mrs. Sellers commented on the progressive discipline history documented in Ms. Bohlinger's employment record. She asked if the School Board Members must make their decision today based on the sole allegations of fraudulent requests for travel reimbursement or if it is based on the cumulative pattern of required disciplinary action against the employee.

Mrs. Fields also asked for clarification if the Board Members are permitted to use the employee's prior disciplinary record when making their decision today. Attorney Don Wilson explained this information is part of the record and therefore can be used as part of the basis for the School Board's decision today.

Mr. Lynn Wilson asked if the employee filled out the mileage reimbursement form in advance of the dates indicated or if the forms were filled out after-the-fact. Attorney Wilson commented the forms were filled out and signed by Ms. Bohlinger after-the-fact.

Mrs. Fields asked if there is a rule that states an employee must work once they arrive at their destination. Attorney Wilson stated there is no policy that an employee must work once they arrive at their workplace.

Mr. Lynn Wilson referred to employees that have contracts allowing the Superintendent to terminate their employment without cause and asked if that was the case with Ms. Bohlinger. Attorney Don Wilson stated this employee was on a professional services contract, so there is a "for cause" obligation on the Superintendent's part.

Motions:

The Superintendent recommends upholding the FL Division of Administrative Hearings (DOAH) Administrative Law Judge's recommendation for a - PASS final order terminating Brenda Bohlinger's employment.

Vote Results

Motion: Hazel Sellers

Second: Billy Townsend

Lori Cunningham

- Aye

Kay Fields	- Aye
Tim Harris	- Aye
Sara Beth Reynolds	- Aye
Hazel Sellers	- Aye
Billy Townsend	- Aye
Lynn Wilson	- Aye

Public Hearing

Superintendent's Report

Attorney's Report

Auditor's Report

Board Members' Report

Public Comments Addressing Items Not on Agenda

Adjournment

Meeting adjourned at 9:19 AM. Minutes were approved and attested this 28th day of February, 2017.

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Kay Fields, Board Chair

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Jacqueline M. Byrd, Superintendent