

EXECUTIVE SUMMARY

RECOMMENDATION FOR SUSPENSION & TERMINATION

Carlos A. Chaverra, Painter

I recommend that the School Board approve Carlos Chaverra's Suspension Without Pay effective September 22, 2005, and Termination, effective fifteen (15) days after the September 21, 2005, Board Action.

On or about June 9, 2005, Carlos Chaverra became the subject of a Professional Standards investigation based upon the allegation that he had absented himself from work for twenty-nine (29) days in three (3) months. Upon further inquiry, he claimed he had been arrested and detained, and thus unable to report to work. He refused to provide documentation to substantiate his explanation or to otherwise cooperate with the investigation despite directives to the contrary. At the conclusion of the investigation, the allegations of gross insubordination, unsatisfactory attendance, and failure to call in absences were sustained.

Sufficient just cause exists for Mr. Chaverra to be disciplined pursuant to Sections 1012.22(1)(f), 1012.27(5) and 1012.40 Florida Statutes; Palm Beach County School District Policies 1.013 and 3.27, as well as Administrative Directive 3.27, and Article 17 (6) of the Collective Bargaining Agreement between the National Conference of Firemen & Oilers, Local 1227, and the School Board of Palm Beach County, for violations of the foregoing.

06/08/05 Professional Standards was advised of charges against Mr. Chaverra.

07/06/05 Professional Standards investigation of Case #04/05-250 concluded.

07/18/05; 07/27/05 Pre-disciplinary meetings scheduled; employee NO SHOW

08/12/05 Employee Investigation Committee (EIC) reviewed case, found the allegations substantiated and recommended discipline ie., termination.

08/22/05 Chief Officer of Human Resources (COHR) reviewed and concurred with recommended discipline.

08/29/05 Ten (10) day notification of public record to employee per Florida Statute 1012.31.

09/07/05 Superintendent's letter of notification to employee.

LEGAL SIGN-OFF: Yes No

REQUEST FOR TEMPORARY REASSIGNMENT OF EMPLOYEE

TO: James Hayes, Jr.
Chief Officer of Human Resources

FROM: Martin A. Mets, Director
Maintenance and Plant Operations

SCHOOL or WORK SITE LOCATION: Maintenance and Plant Operations

DATE: August 24, 2005

PHONE: 687-7185 (PX 27185)

Employee Name: Carlos Chaverra

Permanent Position: Painter

Allegation: Chronic Absenteeism and Insubordination

Based on the details provided below, I am requesting that the employee named above be temporarily reassigned pending the outcome of Board action. I understand that the employee will be reassigned with pay to another position and/or location, or to her/his residence with pay, if no such suitable alternative position is available. I also understand that the employee will continue to be paid from my budget and continue to occupy the position control number in which (s)he was previously placed prior to the reassignment. Further, I understand that at the conclusion of the Board action, unless otherwise applicable, the employee will return to the permanent location from which (s)he was temporarily reassigned.

The specific factors which warrant the reassignment of the employee are:

Pursuant to disciplinary action taken on this employee and supporting documentation of chronic tardiness, absenteeism and insubordination.

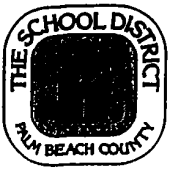
SEND TO FAX NUMBER 434-8178 (48178)

Form F

You have been provided with a copy of the Professional Standards Investigation Report regarding Case Number 04/05-28. The Pre-disciplinary meeting was held to give you and your representative the opportunity to provide additional information, dispute, explain or elaborate on the information in the Professional Standards Investigation Report. You presented the following facts and/or information or documents for consideration:

You were directed, in writing via hand delivery, to attend a Pre-Disciplinary meeting on Monday, July 18, 2005 at 10:00 a.m. You arrived at the meeting location at 10:40 a.m. after your representative had left the building. You requested the meeting be rescheduled. You were advised by mail sent to the address you provided and by your representative in person and via telephone that the meeting was rescheduled for Thursday, July 27, 2005 at 9:30 a.m. in Suite A115, the Fulton-Holland Center. You again failed to attend as directed. The other attendees including your representative waited until after 10:00 a.m. for your arrival. An attempt to contact you by telephone at the number you provided 965-2230 was unsuccessful, although a message was left. An attempt to contact you at cell phone # 255-8319 was also unsuccessful because the number was out of service. This was also a number by which you were contacted in the past. Your failure to attend the rescheduled meeting following other directives to attend meetings which you refused constitutes gross insubordination. You continue to fail to report for work and/or call-in your absences as required. Further, you continue to be unable to be contacted. As indicated below this case will be forwarded to the Employee Investigative Committee for its consideration.

This summary will be considered by the (check one) Work Site Supervising Administrator or the Employee Investigation Committee along with the Professional Standards report in reaching a decision as to whether the allegation(s) are unfounded, unsubstantiated or are substantiated and a recommended discipline (If applicable). You will be advised of the finding and discipline, if any, that is recommended or to be imposed.



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FLORIDA

DIVISION OF HUMAN RESOURCES
DEPARTMENT OF PROFESSIONAL STANDARDS
3370 Forest Hill Boulevard, A-115
West Palm Beach, FL 33406-5870

(561) 434-8545 FAX: (561) 434-8178

JAMES HAYES, JR.
CHIEF OFFICER

ARTHUR C. JOHNSON, Ph.D.
SUPERINTENDENT

RAYMOND T. MILLER
DIRECTOR

July 19, 2005

Mr. Carlos A. Chaverra

[REDACTED]
Greenacres, FL 33463

PSI # 04/05-250

Dear Mr. Chaverra:

You have previously been informed that the preliminary investigation noted above, regarding allegations of 1) gross insubordination, 2) unsatisfactory attendance and 3) failure to call-in absences, has been concluded.

As per your request, your Pre-disciplinary meeting for the record previously scheduled for Monday, July 18, 2005, at 10:00 a.m., has been **rescheduled for Wednesday, July 27, 2005 at 9:30 a.m.** at the Fulton-Holland Educational Services Center, Room A-115, 3370 Forest Hill Boulevard, West Palm Beach.

The purpose of the meeting is to discuss the outcome of the investigation and to give you an opportunity to explain, elaborate on or rebut the findings of the investigation. A copy of the investigative file was sent to you previously. At the conclusion of this meeting, the case may be sent to the Employee Investigation Committee (EIC) including a summary of the Pre-disciplinary meeting and any information and/or documentation you may provide, for determination if the allegations are substantiated or unsubstantiated. If the EIC finds the allegations are substantiated, discipline appropriate to the circumstances will be proposed and recommended to the Superintendent or his designee as necessary. You are reminded that you have the right to bring a representative to the Pre-disciplinary meeting.

Sincerely,

Raymond T. Miller
Director of Professional Standards

RTM:mr

Attachment

- c. Martin Mets, Director, Maintenance and Plant Operations
- Oliver W. Johnson, Personnel Compliance Administrator
- Carolyn Killings, Business Agent, NCF&O

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Ray Miller (Prof. Std.)

From: Karen Wagner(M & P.O.)
Sent: Thursday, July 14, 2005 7:59 AM
To: Ray Miller (Prof. Std.)
Cc: Martin Mets; James Pickering
Subject: FW: Carlos Chaverra

FYI.

-----Original Message-----

From: Linda Yokota
Sent: Wednesday, July 13, 2005 8:34 PM
To: Vincent Caracciolo
Cc: Karen Wagner(M & P.O.); Judyann Terrell
Subject: Carlos Chaverra

Vince,

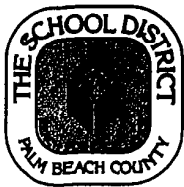
Carlos Chaverra called me today. I asked him if he had received the letter we sent him and he said no. (A copy of the letter is on your desk). So I suggested he come pick it up but he asked me to mail it to the address below:

Carlos Chaverra
[REDACTED]
Greenacres, Florida 33463
Phone: [REDACTED]

I suggested he call Ray Miller and gave him the number. He called back and said he has a meeting on Monday but wants to speak to you first. The last day he worked was Thursday, June 23.

Thank you,

*Linda Yokota
Statistical Analyst/ Payroll
Maintenance & Plant Operations*



THE SCHOOL DISTRICT
OF PALM BEACH COUNTY, FLORIDA

JAMES HAYES, JR.
CHIEF OFFICER

ARTHUR C. JOHNSON, Ph.D.
SUPERINTENDENT

DIVISION OF HUMAN RESOURCES
DEPARTMENT OF PROFESSIONAL STANDARDS
3370 Forest Hill Boulevard, A-115
West Palm Beach, FL 33406-5780

(561) 434-8545 FAX: (561) 434-8178

MEMORANDUM

July 7, 2005

TO: **FILE** *Raymond T. Miller*

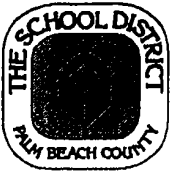
FROM: Raymond T. Miller, Director of Professional Standards

SUBJECT: CARLOS CHAVERRA

On Thursday, July 7, 2005, writer attempted to deliver a letter directing the subject employee to a pre-disciplinary meeting scheduled for Monday, July 18, 2005 at 10 a.m. in Suite A115 at the Fulton-Holland Educational Services Center.

Writer went to [REDACTED] FL, the address of record. There was no response to several knocks on the door. The apartment appeared to be occupied based on sounds from inside and curtains on the window. The mailbox had the name of an unknown person, Donna Stevens, taped inside. Writer then went to [REDACTED] Lake Worth Florida. That address was obtained from a forwarding address sticker on a letter sent regular U.S. Mail that was returned undelivered. That address appeared to be a vacant apartment based on no curtains on the windows and no furniture inside the apartment.

Writer then called [REDACTED] a possible home phone number for the employee. The phone was answered by a tone. Writer left a brief message. Writer then called [REDACTED] a possible cell phone number for the employee. At 2:26 p.m. writer spoke to an individual who identified himself as Carlos. Writer identified himself and the individual hung up. The same number than rang into my cell phone. Writer asked and the caller identified himself as Carlos Chaverra. Writer then advised the caller of the date, time and location of the pre-disciplinary meeting. Writer advised the caller that he was on notice of the meeting and asked him to come to the Fulton-Holland Center, A115 to pick up the letter and case file. The caller stated he would do so "on Monday." Writer asked the caller his address. The caller then hung up.



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FLORIDA

DEPARTMENT OF MAINTENANCE & PLANT OPERATIONS
3300 Summit Boulevard
West Palm Beach, FL 33406-4108

(561) 687-7185 FAX: (561) 687-7027

File PLS

ARTHUR C. JOHNSON, Ph.D
SUPERINTENDENT

MARTINA A. METS
DIRECTOR
MAINTENANCE & PLANT OPERATIONS

July 7, 2005

Certified Mail #7004 2510 0002 8399 8941
and Regular Mail

Carlos Chaverra
[REDACTED]

Lake Worth, FL 33460

Dear Mr. Chaverra:

This is to confirm that you have not reported to work since Monday, July 5, 2005. You have not contacted this office as required to report your intended absences nor have you requested or received approval for a short-term leave of absence. By your failure to report for duty and contact us as required, you have separated yourself from employment.

You have until Wednesday, July 13, 2005, to contact my office concerning your absence. If I do not hear from you by July 13, 2005, your name will be submitted at the August 2005 School Board Meeting for acceptance of your separation from employment, effective your last day of work

Should you have any questions, feel free to contact this office.

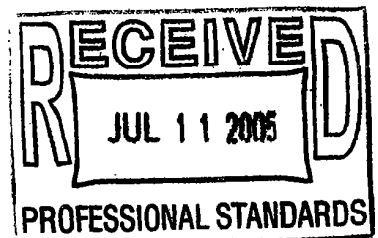
Sincerely,

Martin Mets

Martin A. Mets, Director
Maintenance & Plant Operations

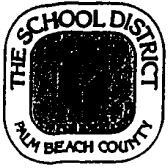
MAM/lkw

Pc: Raymond Miller
Vicki Evans
Melinda Wong
Vincent Caracciolo
Stephen Backhus
James Pickering



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File in case FIVE



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FLORIDA

DIVISION OF HUMAN RESOURCES
DEPARTMENT OF PROFESSIONAL STANDARDS
3370 Forest Hill Boulevard, A-115
West Palm Beach, FL 33406-5870

JAMES HAYES, JR.
CHIEF OFFICER

RAYMOND T. MILLER
DIRECTOR

ARTHUR C. JOHNSON, Ph.D.
SUPERINTENDENT

(561) 434-8545 FAX: (561) 434-8178

July 6, 2005

Mr. Carlos A. Chaverra

[REDACTED]
Lake Worth, FL 33460

PSI # 04/05-250

Dear Mr. Chaverra:

This is to inform you that the preliminary investigation noted above, regarding allegations of 1) gross insubordination, 2) unsatisfactory attendance and 3) failure to call-in absences, has been concluded.

You are directed to attend a Pre-disciplinary meeting for the record, on **Monday, July 18, 2005, at 10:00 a.m.**, at the Fulton-Holland Educational Services Center, Room A-115, 3370 Forest Hill Boulevard, West Palm Beach.

The purpose of the meeting is to discuss the outcome of the investigation and to give you an opportunity to explain, elaborate on or rebut the findings of the investigation. A copy of the investigative file is attached. At the conclusion of this meeting, the case may be sent to the Employee Investigation Committee (EIC) including a summary of the Pre-disciplinary meeting and any information and/or documentation you may provide, for determination if the allegations are substantiated or unsubstantiated. If the EIC finds the allegations are substantiated, discipline appropriate to the circumstances will be proposed and recommended to the Superintendent or his designee as necessary. You are reminded that you have the right to bring a representative to the Pre-disciplinary meeting.

Sincerely,

Raymond T. Miller
Director of Professional Standards

RTM:mr

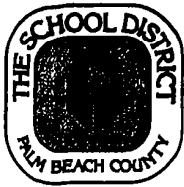
Attachment

- c. James Hayes, Jr., Chief Officer of Human Resources
- Martin Mets, Director, Maintenance and Plant Operations
- Oliver W. Johnson, Personnel Compliance Administrator (Attachment)
- Carolyn Killings, Business Agent, NCF&O (Attachment)

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THE SCHOOL DISTRICT
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CHIEF OFFICER

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SUPERINTENDENT

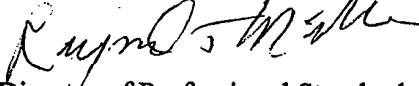
DIVISION OF HUMAN RESOURCES
DEPARTMENT OF PROFESSIONAL STANDARDS
3370 Forest Hill Boulevard, A-115
West Palm Beach, FL 33406-5780

(561) 434-8545 FAX: (561) 434-8178

MEMORANDUM

July 6, 2005

TO: FILE

FROM: 
Raymond T. Miller, Director of Professional Standards

SUBJECT: CARLOS CHAVERRA

The subject employee was directed, via a hand delivered letter, to attend an investigative meeting with Lieutenant Angelette Green of School Police. This meeting was regarding his unsatisfactory attendance and failure to call in his absences. After rescheduling the meeting at Chaverra's request, Chaverra refused to attend the meeting. On June 22, 2005, Writer sent a letter via certified and regular mail to Chaverra's address of record again directing Chaverra to attend an investigative meeting with Writer on July 5, 2005 at 9 a.m. In this letter, Chaverra was advised that failure to attend the meeting would be considered gross insubordination. Chaverra failed to attend as directed or contact Writer to give reason for his failure to comply or request that the meeting be rescheduled.

Writer has also learned via Lieutenant Richard Schappart this date that Chaverra has been absent from work from Monday, June 27, 2005 through this date without calling to report his absence as required.

A pre-disciplinary meeting will be scheduled as soon as possible to give Chaverra the opportunity to provide any information pertinent to the matter prior to a decision to impose discipline, up to and including termination, for gross insubordination and unsatisfactory attendance.

June 27, 2005

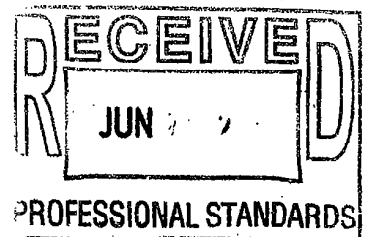
To Whom It May Concern:

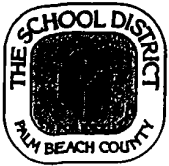
On June 22, I had a technician drop Mr. Chaverra at Meadow Park Elementary to paint windows and doors. The technician told me Mr. Chaverra had plenty of paint for the day. I was on leave this day and Mr. Chaverra called me at home to tell me he did not have enough paint to finish the job and was very disrespectful to me on the phone. He raised his voice several times. I told him I would talk to him the next day in my office. I made a phone call to have a technician take more paint to Meadow Park.

On Thursday June 23rd, I came in from vacation to talk with him and I told him that we were going to the personnel management office. At that time he made a statement that he did not care because nothing has ever happened when he went other times.

Later that day my department attended a mandatory payroll meeting at FHESC. After a short time Mr. Chaverra told the other techs that he had heard enough and went for coffee. He never returned to the meeting.

Marcus Clarke
Task Leader





THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FLORIDA

DIVISION OF HUMAN RESOURCES
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West Palm Beach, FL 33406-5870

(561) 434-8545 FAX: (561) 434-8178

JAMES HAYES, JR.
CHIEF OFFICER

RAYMOND T. MILLER
DIRECTOR

ARTHUR C. JOHNSON, Ph.D.
SUPERINTENDENT

Via Certified # 7002 0860 0000 3518 2376 and Regular U.S. Mail

June 22, 2005

Mr. Carlos Chaverra

[REDACTED]
Lake Worth, FL 33460

Re: Professional Standards Investigative Meeting

Dear Mr. Chaverra:

This letter is written direction to attend a Professional Standards Investigation Meeting with the undersigned which has been scheduled for **Tuesday, July 5, 2005, at 9:00 a.m.** This meeting will be in the Professional Standards Office, Room A-115 of the Fulton-Holland Educational Services Center, 3370 Forest Hill Boulevard, West Palm Beach, Florida. The purpose of the meeting is to investigate allegations of unsatisfactory attendance, failure to self-report an arrest and/or conviction and insubordination.

Based on the outcome of this meeting, you may be subject to disciplinary action. You have the right to bring a representative of your choice to the meeting. You were previously directed to attend an investigative meeting regarding unsatisfactory attendance and failure to self-report an arrest and/or conviction via a hand delivered letter, dated June 13, 2005, signed by School Police Lieutenant Angelette Green. You refused to attend that meeting, which constituted insubordination. Should you refuse and/or fail to attend this meeting as directed your action will be considered gross insubordination. The District will then recommend your termination to the School Board of Palm Beach County at a scheduled meeting thereof consistent with District Policy 3.27.

For the duration of this investigation, you are not to speak to and/or attempt to contact any witnesses, other parties or potential parties involved with this allegation/investigation to discuss any matters material or in any way related to the allegation/investigation. Any attempt to do so may result in additional disciplinary action being taken against you. Notwithstanding the above, this direction does not apply to your discussion of the matter with any representative you may choose.

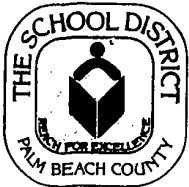
Sincerely,

Raymond T. Miller
Director of Professional Standards

- c. Martin Mets, Director, Maintenance and Plant Operations (M&PO)
Vincent Caracciolo, Personnel Compliance Manager, M&PO

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THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FLORIDA

SCHOOL POLICE DEPARTMENT
3330 FOREST HILL BOULEVARD, B-127
WEST PALM BEACH, FL 33406-5869

(561) 434-8300 FAX: (561) 434-8186

JAMES P. KELLY, J.D.
CHIEF OF POLICE

ARTHUR C. JOHNSON, Ph.D.
SUPERINTENDENT


(C. R. M. 6/21/05

04/05-250

June 16, 2005

MEMORANDUM

TO: Ray Miller, Director
Professional Standards

FROM: Angelette Green, Lieutenant 
School Police Department

SUBJECT: Investigation - PBCSB Case# 05-2151
Date of Incident: 06/09/05
Date Incident Reported: 06/09/05

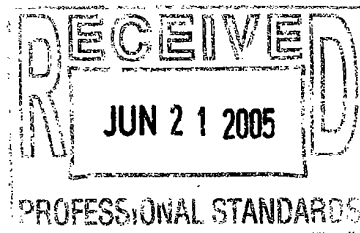
Allegation: Information
Suspect: Carlos Chaverra 
Painter- Maintenance & Plant Operations

The following is a summation of the incident that occurred with an employee from Maintenance & Plant Operations. The case was investigated by Detective Wilson and is being forwarded to you for review. If you have any questions, please feel free to contact him at px 4-8300.

AG:sb

Attachment

PALM BEACH COUNTY SCHOOLS #3 IN THE NATION
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NARRATIVE CONTINUATION

FLO 504200

PALM BEACH COUNTY SCHOOL DISTRICT POLICE

Case: 05-2151
Investigator: C. Wilson #823
Reported Date: 06/09/05

ADULT

On Thursday, June 09, 2005, I received a personnel complaint in reference to Palm Beach County School District Employee, Carlos A. Chaverra. Chaverra is a painter assigned to the Maintenance and Plant Operations Department.

Allegation: Chaverra failed to self report a recent arrest. The complaint was received from the Palm Beach County School District Department of Professional Standards on this date.

Records received from Professional Standards revealed Chaverra had recently missed 29 days within the last three months. Records also show Chaverra had received a letter of reprimand from Maintenance and Plant Operations Director Martin Mets on December 10, 2004, for attendance/absenteeism (see attached). In regards to his recent absenteeism, in a hand written letter Chaverra wrote to his first line supervisor, Vincent Caracciolo stating, the reason he missed so many days from work because he had been arrested and placed in the Palm Beach County Jail, located on Gun Club Road. Chaverra's letter went on to say, he was sorry and this will not happen again.

Chaverra had been requested by Mets to produce documentation in regards to school district policy 3.13, Self-Reported Arrest. As of May 31, 2005, Chaverra failed to follow directions and Mets referred the situation to Professional Standards.

Further this date (06/09/05), Palm Beach County School District Police Lieutenant Angelette Green contacted Professional Standards Director Raymond Miller in reference to this situation. Miller requested that School Police obtain an audio sworn taped statement from Chaverra regarding his recent arrest.

I then reviewed the Palm Beach County School District's Attendance Summary Report on Chaverra and saw he had been absent for a total of 29 days (Two (2) in March, Fifteen (15) in April and Twelve (12) in May).

At 1030 hours, I signed on to the Palm Beach County Sheriff Office's Web Site in order to ascertain if Chaverra had in fact been arrested recently, and to corroborate the days Chaverra didn't report to work with what he wrote in his letter of explanation. I searched the month of March, April and May 2005 with negative results. A check of Chaverra's criminal history revealed Chaverra's last arrest was on 12-21-2003, for Battery.

Case: 05-2151
Investigator: C. Wilson #823
Reported Date: 06/09/05

ADULT

At 1130 hours, Lieutenant Angelette Green of the Palm Beach County School District Police Department paged Chaverra at 561-997-0625, with no return call from Chaverra.

At 1300 hours, a call was made to Jimmy Pickering, Maintenance and Plant Operations Supervisor for the Palm Beach County School District at 561-722-1697, in an effort to make contact with Chaverra; a message was left in reference to Chaverra.

On 06-13-2005, at 1150 hours, a second call was made to Jimmy Pickering and again a message was left for him to make contact with this office in reference to Chaverra. At 1155 hours, Chaverra was paged again.

At 1159 hours, a call was made to Karen Wagner, Maintenance and Plant Operations Secretary, in reference to Chaverra. A message was left on her voice mail.

At 1310 hours, according to Wagner, the message was given to Chaverra to contact Lieutenant Angelette Green by Jimmy Pickering at 1245 hours.

At 1315 hours, Chaverra called stating he was arrested, but there is no documentation because it was his personal business and he would not be bringing any documents. Chaverra stated he would attend the meeting set by Lieutenant Green for 06-14-2005 at 1000 hours.

At 1600 hours, Jimmy Pickering called stating the letter for the Investigative Meeting set for 06-14-2005 at 1000 hours, was hand delivered to Chaverra at 1600 hours.

On 06-14-2005 at 1010 hours, Chaverra called stating his car broke down and he didn't come to work. Chaverra requested to reschedule the Investigative Meeting for 06-15-2005 at 1000 hours.

On 06-15-2005 at 1030 hours, Chaverra called and stated his car broke down and he was not coming to work. Chaverra stated he wasn't bringing any documents in and he wasn't discussing his personal business between he and his wife and the School Board can do what ever they have to do.

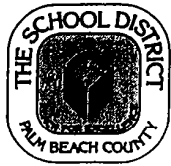
At 1042 hours, e-mail was received from Karen Wagner stating, Chaverra called out of work due to car trouble on both Tuesday (06-14-2005) and Wednesday (06-15-2005).

Based on the facts that Chaverra was given ample opportunity to come in and give a statement, and he refused to cooperate, and the comments

Case: 05-2151
Investigator: C. Wilson #823
Reported Date: 06/09/05

made by Chaverra to Lieutenant Green stating, "He wasn't going to discuss his personal business between he and his wife, he wasn't bringing any documents about his arrest and the School Board can do what ever they have to", clearly suggests Chaverra has no intention of cooperating with this administrative investigation. This case will be referred back to the Palm Beach School District Department of Professional Standards for administrative action.

ADULT



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FLORIDA

DIVISION OF HUMAN RESOURCES
DEPARTMENT OF PROFESSIONAL STANDARDS
3370 Forest Hill Boulevard, A-115
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JAMES HAYES, JR.
CHIEF OFFICER

RAYMOND T. MILLER
DIRECTOR

ARTHUR C. JOHNSON, Ph.D.
SUPERINTENDENT

CERTIFIED MAIL #7005-1160-0003-9753-8287 & Regular U.S. Mail

July 27, 2005

Carlos A. Chaverra

~~REDACTED ADDRESS~~
Greenacres, FL 33463

RE: PSI# 04/05-250

Dear Mr. Chaverra:

Enclosed, for your information and files, is a copy of the Professional Standards Conference for the Record Summary from your scheduled Pre-disciplinary Meeting of July 27, 2005, at 9:30 a.m. Also enclosed are copies of various documents which are being included as part of your Professional Standards investigative file.

Based on your failure to attend as directed, the case will be forwarded to the Employee Investigation Committee for its consideration and recommendation.

Sincerely,

Raymond T. Miller
Director of Professional Standards

RTM:erh
Enclosure

c. Carolyn Killings, Business Agent, NCF&O, Local 1227 (w/attachment)

File PW
R

ATTENDANCE SUMMARY REPORT

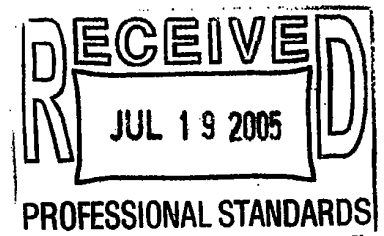
Employee: Carlos Chaverra

Period: June 1, 2005 to July 19, 2005

JUNE			JULY			AUGUST		
Date	Absent/Tardy	Called In	Date	Absent/Tardy	Called In	Date	Absent/Tardy	Called In
06/02/05	Tardy (35 min)		7/5/05	Absent	No			
06/06/05	Tardy (15 min)	Yes	7/6/05	Absent	No			
06/08/05	Absent	Yes	7/7/05	Absent	No			
06/14/05	Absent	Yes	7/11/05	Absent	No			
06/15/05	Absent	Yes	7/12/05	Absent	No			
06/16/05	Absent	Yes	7/13/05	Absent	No			
6/20/05	Absent	Yes	7/14/05	Absent	No			
6/21/05	Absent	Yes	7/18/05	Absent	No			
6/27/05	Absent	Yes	7/19/05	Absent	No			
06/28/05	Absent	No						
06/29/05	Absent	No						
06/30/05	Absent	No						
Total Absent Days = 10			Total Absent Days = 9					

Two month period = 19 days absent

33





Form F

CONFERENCE FOR THE RECORD SUMMARY

MEMORANDUM

TO: Carlos Chaverra

FROM: Raymond T Miller, Director [Signature]

DATE: July 27, 2005

SUBJECT: Pre-disciplinary Meeting

You Failed To attend a Pre-disciplinary Meeting at Suite A115 Fulton-Holland Educational services Center (location) on July 27, 2005 at 9:30 (date & time)

- Present: Raymond T Miller, Director (name & title); Oliver Johnson, Personnel Compliance Administrator (name & title); [blank] (name & title); [blank] (name & title); [blank] (name & title); [blank] (name & title) (add lines, if necessary)

You were represented by: Carolyn Killings, Business Agent Local 1227 NCFO (name & title)

Although you were reminded you have the right to a representative of your choice, you did not have a representative because (check one) [] you chose not to, or [] the applicable bargaining unit declined to represent you because you were not a member.

You are alleged to have violated or been non-compliant with the following applicable standards of behavior. Listed are all applicable Florida Statute(s), Policies, Rules, and Administrative Guidelines:

- Florida Statutes: [blank] (list all applicable)
Florida Administrative Code(s): 6B-4.009 (list all applicable)
School Board Policies: 1.013, 3.13 & 3.27 (list all applicable)
District Administrative Directive(s): 3.27 (list all applicable)
Collective Bargaining Agreement Section(s): District & NCFO (regular) Article 17, Section 6 (list all applicable)
School Bus Driver or other Handbook Section(s): [blank] (list all applicable)
Other Rule(s) or Guideline(s): FAILURE TO CALL IN ABSENCES AS REQUIRED (list all applicable)



Arthur C Johnson Ph.D.
Superintendent

**PALM BEACH COUNTY SCHOOL DISTRICT
POLICE DEPARTMENT**
3330 Forest Hill Boulevard Suite B-127
West Palm Beach Fl. 33406

561-434-8700

Fax 561-434-8186



James P. Kelly J.D.
Chief of Police

June 13, 2005

Carlos Chaverra

[REDACTED]
Lake Worth, Florida 33460

C/O: Maintenance and Plant Operations

Investigative Meeting

Dear Mr. Chaverra

You are directed to attend a meeting to be held at The Palm Beach County School District Police Department (C-214) located at 3330 Forest Hill Blvd, West Palm Beach, Florida on **June 14, 2005 at 1000 a.m.** The purpose of the meeting is to discuss allegations of misconduct involving you failing to report a self-arrest. Please bring with you copies of all related materials pertaining to this matter.

Based on the outcome of the meeting, you may be subject to disciplinary action. You have the right to bring a representative to the meeting. You are also advised, should you decline to give a statement voluntarily, a statement will be compelled based on Garrity v New Jersey, 385 U.S. 493 (1967). Failure to attend this meeting as directed and provide a statement constitutes insubordination and could lead to disciplinary action.

For the duration of this investigation, you are not to speak to and/or attempt to contact any witnesses or other parties involved in this investigation to discuss any matters material or in any way related to the allegations/investigation. Any attempt to do so will result in disciplinary action being taken against you.

Sincerely,

Angelette Green
Lieutenant

Palm Beach County School District Police Department



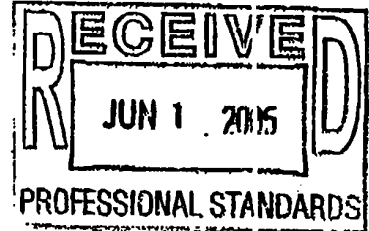
THE SCHOOL DISTRICT OF PALM BEACH COUNTY, FLORIDA DEPARTMENT OF MAINTENANCE & PLANT OPERATIONS 3300 SUMMIT BOULEVARD WEST PALM BEACH, FL 33406-4108 (561) 687-7185 FAX (561) 687-7027

ARTHUR C. JOHNSON, Ph. D. SUPERINTENDENT

MARTIN A. METS DIRECTOR MAINTENANCE & PLANT OPERATIONS

MEMORANDUM

TO: Mr. Raymond Miller, Director Professional Standards
FROM: Martin A. Mets, Director Maintenance and Plant Operations



DATE: May 31, 2005

SUBJECT: Disciplinary Action - Carlos Chaverra

Attached for your review is a summation of Mr. Carlos Chaverra's attendance records for the past three (3) months, along with copies of previous actions taken. This memo requests your consideration for taking the next step of Disciplinary Action with Mr. Chaverra.

As you can see, since March 11, 2005, this employee has been absent a total of twenty-nine days. Mr. Chaverra provided Vincent Caracciolo, Personnel Compliance Manager, a handwritten note (see attached), stating that he was "lock up in Gun Club for fourteen days." Mr. Caracciolo has twice requested Mr. Chaverra provide the appropriate documentation as outlined in School Board Policy 3.13 regarding this 14-day stay at Gun Club, but Mr. Chaverra has failed to provide the information. On May 25, 2005, I sent Mr. Chaverra a letter also requesting he provide documented proof of his incarceration (see attached). As of today, he has not provided my office with any documentation.

MAM/VLC/lkw

Attachments (4)

C: Vincent L. Caracciolo

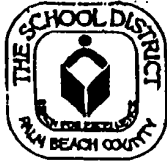
TRAFFIC ONLY
MAY 5 ARRAIGNMENT
WARRANT \$200 CASH
05 01 0364 TC ADZ 4A
05 01 0519 TC ADZ 4A
LIC PLATE NOT ASSG
NO PROOF IN
LIC PLATE NOT ASSIGN
TAKE YOUR QUESTIONS

ATTENDANCE SUMMARY REPORT

Employee: Carlos Chaverra
 Period: March 28, 2005 to May 24, 2005

MARCH		APRIL		MAY	
Date	Absent	Date	Absent	Date	Absent
03/28/05	Absent M	4/1/05 F	Absent	5/2/05 M	Absent
03/29/05	Absent T	4/4/05 M	Absent	5/3/05 T	Absent
		4/7/05 Th	Absent	5/4/05 W	Absent
		4/8/05 F	Absent	5/5/05 Th	Absent
		4/11/05 M	Absent	5/6/05 F	Absent
		4/12/05 T	Absent	5/9/05 M	Absent
		4/13/05 W	Absent	5/10/05 T	Absent
		4/14/05 Th	Absent	5/11/05 W	Absent
		4/15/05 FR	Absent	5/12/05 Th	Absent
		4/20/05 W	Absent	5/13/05 FR	Absent
		4/25/05 M	Absent	5/18/05 M	Absent
		4/26/05 T	Absent	5/17/05 T	Absent
		4/27/05 W	Absent		
		4/28/05 T	Absent		
		4/29/05 F	Absent		
Total Days = 2		Total Days = 15		Total Days = 12	

Three month period = 29 days absent



THE SCHOOL DISTRICT
OF PALM BEACH COUNTY, FLORIDA
DEPARTMENT OF MAINTENANCE & PLANT OPERATIONS
3300 SUMMIT BOULEVARD
WEST PALM BEACH, FL 33406-4108
(561) 687-7186 FAX (561) 687-7027

ARTHUR C. JOHNSON, Ph. D.
SUPERINTENDENT

MARTIN A. METS
DIRECTOR
MAINTENANCE & PLANT OPERATIONS

May 25, 2005

Certified and Regular Mail
7004 2510 0002 8399 9658

Mr. Carlos Chaverra

[REDACTED]
Lake Worth, FL 33460

Re: Request for Information

Dear Mr. Chaverra:

After reviewing the note you sent to Vincent Caracciolo advising him that you had recently been incarcerated at the Gun Club facility, you are directed to provide my office with the following information:

1. Date of your arrest.
2. Specific dates of your recent incarceration.
3. Police Case number.
4. Any other related paperwork and/or documentation regarding your recent incarceration.

Attached School Board Policy 3.13 requires that all employees report any new arrests and convictions within 48 hours of the conviction. Failure to provide this information will be grounds for disciplinary action up to and including termination.

Sincerely,

Martin A. Mets, Director
Maintenance and Plant Operations

MAM/VLC/lkw

C: Vincent L. Caracciolo

Lt. Green

Fax # Px 48896



THE SCHOOL DISTRICT OF PALM BEACH COUNTY

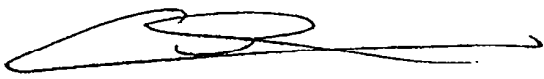
Self-Reporting of New Arrests and Convictions Affidavit

EMPLOYEE NAME (last, first, middle) Chaverra Carlos		SOCIAL SECURITY NUMBER [REDACTED]
POSITION / TITLE Painter	SCHOOL DEPARTMENT Maintenance & Plant Operations/9450	

School Board Policy 3.13 requires that all employees report any new arrests and convictions in writing with the appropriate documentation to their supervisor within forty-eight (48) hours of the arrest and within forty-eight (48) hours of the conviction. Your signature acknowledges that you have read the following statements and that you have been notified that compliance with the requirements below is mandatory.

- A. All District employees shall self-report in writing with the appropriate documentation any arrests and/or criminal charges, including criminal traffic violations, to the employee's immediate supervisor/designee within forty-eight (48) hours of said arrest and/or criminal charge.
- B. All District employees shall self-report in writing with the appropriate documentation any conviction, finding of guilt, withholding of adjudication, commitment to a pretrial diversion program, or entering of a plea of guilty, guilty in your best interest, or nolo contendere for any criminal offense other than a minor traffic violation within forty-eight (48) hours after the final judgment has been entered.
- C. District employees who drive District-owned/operated or controlled vehicles, or who are required to have a driver's license or commercial driver's license (CDL) for employment purposes, are required to report in writing with the appropriate documentation minor traffic violations when they occur with any vehicle.

I attest by my signature below that I have read the foregoing affidavit and have complied, and will continue to comply, in a timely manner, with all the requirements outlined above in items A, B and C. I also understand that failure to self-report may result in disciplinary action, up to and including termination from employment.



 SIGNATURE OF EMPLOYEE

 DATE 5/18/05

Unavailable to sign 5/12/05

CARIOS CHAVEERRA
to VINCE CARACCIULO

I thank you so much for
every thing that you done
for me the reason why
I miss so much days I had
problems in my married and
I was lock up in the club
for fourteen days but I give you
my word that this will not
Happen no more





THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FLORIDA

DIVISION OF HUMAN RESOURCES
DEPARTMENT OF PROFESSIONAL STANDARDS
3370 Forest Hill Boulevard, A-115
West Palm Beach, FL 33406-5870

(561) 434-8545 FAX: (561) 434-8178

JAMES HAYES, JR.
CHIEF OFFICER

RAYMOND T. MILLER
DIRECTOR

ARTHUR C. JOHNSON, Ph.D.
SUPERINTENDENT

March 21, 2005

Carlos A. Chaverra

[REDACTED]
Lake Worth, FL 33460

Re: Written Reprimand

Dear Mr. Chaverra:

This correspondence is being given to you as a Written Reprimand for Insubordination regarding your failure to attend a pre-disciplinary meeting and Unprofessional Conduct toward your supervisor.

You were directed to attend a pre-disciplinary meeting at the Fulton-Holland Educational Services Center on Friday, March 18, 2005. You failed to attend this scheduled meeting. Your failure to attend the meeting shows your lack of concern for the disciplinary process. During the meeting, the allegation of Unprofessional Conduct was reviewed. On January 14, 2005, you were insubordinate to your immediate supervisor, Mr. Charles Whidden. You reportedly used profanity and verbally threatened Mr. Whidden. This type of conduct is unprofessional.

Your conduct with regard to Insubordination and Unprofessional Conduct violate State Board of Education Rule 6B-4.009 FAC Re: Criteria for Suspension and Dismissal; 1.013 District Policy Re: Responsibilities of School District Employees; 3.27 District Policy and Directive Re: Suspension & Dismissal and Separation of Employment, as well as the Collective Bargaining Agreement between the School District and NCF&O, Local 1227, Article 17, Section 6.

You are directed to cease such conduct immediately. Furthermore, you are to desist from engaging in the same or similar actions in the future. Failure to do so will result in further disciplinary action up to and including termination.

Sincerely,

Raymond T. Miller
Director of Professional Standards

RTM:OWJ:erh

- c. Martin Mets, Director, M&PO
Carolyn Killing, Business Agent, NCF&O, Local 1227
Melinda Wong, Director, Compensation & Employee Information Services (Personnel Fil



THE SCHOOL DISTRICT
 OF PALM BEACH COUNTY, FLORIDA
 DEPARTMENT OF MAINTENANCE & PLANT OPERATIONS
 3300 SUMMIT BOULEVARD
 WEST PALM BEACH, FL 33406-4108
 (561) 687-7185 FAX (561) 687-7027

ARTHUR C. JOHNSON, Ph. D.
 SUPERINTENDENT

MARTIN A.
 DIRECTOR
 MAINTENANCE & PLANT

Hand Delivered

March 11, 2005

Carlos Chaverra

[Redacted Address]
 Lake Worth, Florida 33460.

Re: Written Reprimand (NCF&O)

Dear Mr. Chaverra:

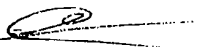
This correspondence is given to you as a Written Reprimand, as per Article 17 of the NCF&O contract, as a result of your attendance/absenteeism. Specifically, on February 23rd and 24th, 2005 you failed to call in to work.

Failure to improve in this area may result in further disciplinary action up to and including termination.

Sincerely, 

James Pickering, Area Team Leader – Building Services
 Department of Maintenance & Plant Operations

My signature below indicates receipt of this document.



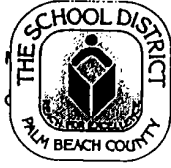
 Employee's Signature
 (Carlos Chaverra)

3.11.05

 Date

cc: Martin A. Mets, Director, M&PO
 Steve Backhus, Assistant Director
 Melinda Wong, Director of Employee Records
 Personnel File

24



THE SCHOOL DISTRICT
OF PALM BEACH COUNTY, FLORIDA
DEPARTMENT OF MAINTENANCE & PLANT OPERATIONS
3300 SUMMIT BOULEVARD
WEST PALM BEACH, FL 33406-4108
(561) 687-7185 FAX (561) 687-7027

ARTHUR C. JOHNSON, Ph. D.
SUPERINTENDENT

MARTIN A.
DIRECTOR
MAINTENANCE & PLANT

Hand Delivered

December 10, 2004

Carlos Chaverra

[REDACTED]
Lake Worth, Florida 33460

Re: Verbal Reprimand with Written Notation (NCF&O)

Dear Mr. Chaverra:

This correspondence is given to you as a Verbal Reprimand with Written Notation, as per Article 17 of the NCF&O contract, as a result of your attendance/absenteeism.

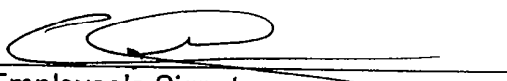
Failure to improve in this area may result in further disciplinary action up to and including termination.

Sincerely,

 10/10/04

David Samuels, Area Maintenance Team Leader
Department of Maintenance & Plant Operations

My signature below indicates receipt of this document.


Employee's Signature
(Carlos Chaverra)

12-10-04
Date

cc: Martin A. Mets, Director, M&PO
Steve Backhus, Assistant Director
Melinda Wong, Director of Employee Records
Personnel File



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FLORIDA

DEPARTMENT OF MAINTENANCE & PLANT OPERATIONS
3300 Summit Boulevard
West Palm Beach, FL 33408-4108

(561) 687-7185 FAX: (561) 687-7027

ARTHUR C. JOHNSON, Ph.D
SUPERINTENDENT

MARTINA METS
DIRECTOR
MAINTENANCE & PLANT OPERATIONS

Hand Delivered

December 5, 2002

Carlos Chaverra

[REDACTED]
Lake Worth, FL 33460

Re: Written Reprimand (NCF&O)

Dear Mr. Chaverra:

This correspondence is given to you as a Written Reprimand, as per Article 17 of the NCF&O contract, as a result of your being tardy on thirty-five occasions since June 2002.

In the future, you are directed to report to work and punch-in no more than 15 minutes prior to the start of your workday. Any incident of the same or similar nature will result in further disciplinary action up to and including termination.

Sincerely,

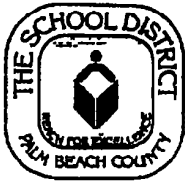
Karl Schluter, Acting Painting Team Leader
Department of Maintenance & Plant Operations

cc: Paul LaChance, Professional Standards
Martin A. Mets, Director
Vince Caracciolo
Personnel File

My signature below indicates receipt of this document.

(Carlos Chaverra)

12.09.02
(Date)



THE SCHOOL DISTRICT
OF PALM BEACH COUNTY, FLORIDA

DEPARTMENT OF PROFESSIONAL STANDARDS
3370 FOREST HILL BOULEVARD
WEST PALM BEACH, FL 33406-5870

(561)434-8545 FAX (561) 434-8178

W. PAUL LACHANCE
DIRECTOR

DR. H. BENJAMIN MARLIN
SUPERINTENDENT

*approved by School Board
9/6/00
M. King*

Certified Mail #7000-0520-0016-6655-8377 & Regular U.S. Mail

August 24, 2000

Carlos Chaverra
[REDACTED]

Lake Worth, FL 33460

NOTICE OF SUSPENSION WITHOUT PAY

Dear Mr. Chaverra:

Based upon substantial information presented to me, I must hereby inform you that I have probable cause sufficient to warrant your suspension without pay from your position as custodian. I will recommend at the September 6, 2000, meeting of the School Board of Palm Beach County, Florida, that you be suspended without pay for ten (10) working days beginning September 7, 2000, and ending September 20, 2000.

On July 6, 2000, you signed in at 6:00 a.m. but actually were thirty (30) minutes late and later made inappropriate comments to your supervisor. On July 14, 2000, you falsified your time card by signing out one hour early. On this occasion, you made inappropriate comments regarding your supervisor. On July 21, 2000, you approached a witness in violation of a directive you were given earlier that day. These actions constitute sufficient just cause for discipline under the 1999-2002 Collective Bargaining Agreement between the School District of Palm Beach County, Florida, and the National Conference of Firemen & Oilers, and Palm Beach County School Board Policy and Directive 3.27. You received a Verbal Reprimand With Written Notation on January 21, 2000.

August 9/7

Carlos Chaverra
August 24, 2000
page 2

The September 6, 2000, School Board meeting will be held in the Board Room at 3300 Forest Hill Boulevard, West Palm Beach. The Board has set aside the time of 4:30 p.m. so that you or your representative may make a brief oral presentation relative to your suspension. The Board has allotted no more than three minutes for you to make a statement. If you or your representative intend to speak before the School Board, please immediately notify Ms. Alicia Palmer, Secretary to the Board, at (561) 434-8139.

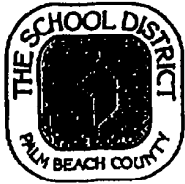
Sincerely,



H. Benjamin Marlin
Superintendent of Schools

HBM:erh

- c. Cynthia Prettyman, General Counsel to the Superintendent
Marcia Andrews, Chief Personnel Officer
W. Paul Lachance, Director, Professional Standards
Marion Weil, Director, Employee Records and Information Services
Barbara Porcher, Director, Administrative and Non-Instructional Employment Services
Mary Smith, Director, Instructional Employment Services
Martin A. Mets, Director, Maintenance & Plant Operations
Sharon Munley, President, National Conference of Firemen & Oilers
Personnel File



THE SCHOOL DISTRICT
OF PALM BEACH COUNTY, FLORIDA
DEPARTMENT OF EMPLOYEE RELATIONS
3370 FOREST HILL BOULEVARD
WEST PALM BEACH, FL 33406-5870
(561) 434-8545 FAX (561) 357-7609

SHARON P. KELLEY
DIRECTOR



H. Benjamin Marlin
Superintendent

Certified mail # Z 246 332 588 & Regular U.S. Mail

January 31, 2000

Carlos Chaverra

[REDACTED]
Lake Worth, FL 33460

Re: Verbal Reprimand (Written Notation)

Dear Mr. Chaverra:

This correspondence is given to you as a Verbal Reprimand for your unauthorized possession, storage and removal of property from School District property.

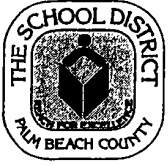
Specifically, at various times during the beginning of this school year, you have been found to be in possession of property at work not belonging to you. This property included a jacket belonging to another employee and zip lock baggies belonging to the school. The items were found in your possession and were retrieved from your vehicle and custodial cart respectively. Although the items were returned to their owners and were not removed from school property you had no authority to have those items in your possession. In addition, on one occasion you brought a barbeque grill on to school grounds that you claimed was abandoned and found on the street. You brought it to school and stored it in a storage room until the next day when you had it removed and taken to your home. This was all done without notice to or approval from your principal. In the future, please ensure that you do not remove any School District property from the School District premises without written authorization from your supervisor/principal, and that you not store personal property on School District premises without written authorization.

You are directed to cease such conduct immediately. Further, you are to desist from engaging in the same or similar actions in the future. Failure to do so will result in further disciplinary action up to and including termination.

Sincerely,

Sharon P. Kelley
Director, Employee Relations

cc: Margaret Daniels, Principal, South Olive Elementary
Personnel File



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FLORIDA

DIVISION OF HUMAN RESOURCES
DEPARTMENT OF PROFESSIONAL STANDARDS
3370 Forest Hill Boulevard, A-115
West Palm Beach, FL 33406-5870

(561) 434-8545 FAX: (561) 434-8178

JAMES HAYES, JR.
CHIEF OFFICER

RAYMOND T. MILLER
DIRECTOR

ARTHUR C. JOHNSON, Ph.D.
SUPERINTENDENT

Certified Mail #7005-1160-0003-9756-7010 and Regular U.S. Mail

August 29, 2005

Carlos A. Chaverra

[REDACTED]
Greenacres, FL 33463

RE: Notification of Public Record

Dear Mr. Chaverra:

As you are aware, the Professional Standards investigation concerning disciplinary violations you are alleged to have committed has been concluded. You were previously advised that the investigative file concerning this matter and its contents would be considered public record at the conclusion of the investigation.

This letter is to confirm that the above material will be released, upon request, minus any allowable exemptions, ten (10) days following your receipt of this letter. This notification is made consistent with Florida Statute 1012.31.

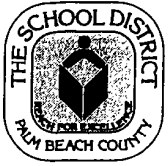
Sincerely

Handwritten signature of Raymond T. Miller in cursive.

Raymond T. Miller
Director of Professional Standards

RTM:erh

- c. James Hayes, Jr., Chief Officer of Human Resources
Vicki Evans-Paré, Associate Counsel for Personnel
Carolyn Killings, Business Agent, NCF&O, Local 1227



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FLORIDA

JAMES HAYES, JR.
CHIEF OFFICER

ARTHUR C. JOHNSON, Ph.D.
SUPERINTENDENT

DIVISION OF HUMAN RESOURCES
DEPARTMENT OF PROFESSIONAL STANDARDS
3370 Forest Hill Boulevard, A-115
West Palm Beach, FL 33406-5870

(561) 434-8545 FAX: (561) 434-8178

September 7, 2005

Certified Mail # 7005-1160-0003-9756-7096 & Regular U.S. Mail

Carlos A. Chaverra

[REDACTED]
Greenacres, FL 33463

NOTICE OF SUSPENSION AND RECOMMENDATION FOR TERMINATION FROM EMPLOYMENT

Dear Mr. Chaverra:

Based upon substantial information presented to me, I must hereby inform you that I have clear and convincing evidence sufficient to warrant disciplinary action against you. I will recommend your suspension without pay and termination from employment with the School District at the September 21, 2005, School Board meeting.

On or about June 9, 2005, you became the subject of a Professional Standards investigation based upon the allegation that you had absented yourself from work for twenty-nine (29) days in three (3) months. Upon further inquiry, you claimed you had been arrested and detained, and thus unable to report to work. You refused to provide documentation to substantiate your explanation or to otherwise cooperate with the investigation despite directives to the contrary. At the conclusion of the investigation, the allegations of gross insubordination, unsatisfactory attendance, and failure to call in absences were sustained.

Sufficient just cause exists for you to be disciplined pursuant to Sections 1012.22(1)(f), 1012.27(5) and 1012.40 Florida Statutes; Palm Beach County School District Policies 1.013 and 3.27, as well as Administrative Directive 3.27, and Article 17 (6) of the Collective Bargaining Agreement between the National Conference of Firemen & Oilers, Local 1227, and the School Board of Palm Beach County, for violations of the foregoing.

Please be advised that I will recommend at the September 21, 2005, meeting of the School Board of Palm Beach County, Florida, that your employment terminate effective upon expiration of fifteen (15) days subsequent to the September 21, 2005, Board meeting and shall be subject only to appeal under Section 120.68, Florida Statutes, unless a timely request for an administrative hearing is made within the fifteen (15) days stated herein pursuant to Sections 120.569 and 120.57, Florida Statutes, wherein you will remain suspended without payment of salary and benefits until final School Board disposition is entered subsequent to the administrative hearing proceedings. This action is taken in accordance with Sections 1012.22(f) and 1012.27(5), Florida Statutes. Failure to timely request an administrative hearing shall waive all rights to request a DOAH hearing on such matters and shall be subject only to appeal rights under Section 120.68, Florida Statutes. You have a choice of filing a grievance or requesting a hearing before the Division of Administrative Hearings (DOAH).

Carlos A. Chaverra
September 7, 2005
Page two

Should you desire a hearing, a request must be made in writing within or prior to the fifteen (15) days stated in this letter, and addressed to JulieAnn Rico Allison, Chief Counsel to the School Board, 3318 Forest Hill Boulevard, C-302, West Palm Beach, Florida 33406. If you decide to appeal a decision made by the School Board with respect to any matters considered at this meeting or hearing, you will need a record of the proceedings, and for such purpose, you may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based. You shall have the responsibility at your own cost, to arrange for the transcript. You were previously advised, that the investigative report concerning this matter and its contents are considered public record and will be released, upon request, minus any allowable exemptions, ten (10) days after the date of that Notification of Public Record correspondence.

The September 21, 2005, School Board meeting will be held in the Board Room at 3300 Forest Hill Boulevard, West Palm Beach, Florida. The Board has set aside the time of 4:30 p.m. so that you or your representative may make an oral statement of no more than three minutes relative to your suspension and dismissal. If you or your representative intend to speak before the School Board, please immediately notify Ms. Alicia Palmer, Board Office, at (561) 434-8139.

Sincerely,

Arthur C. Johnson, Ph.D.
Superintendent

ACJ:GAW:JHJ:RTM:erh

- c. Gerald A. Williams, Chief Officer of Administration
- James Hayes, Jr., Chief Officer of Human Resources
- Melinda Wong, Director, Compensation & Employee Information Services (*Personnel File*)
- JulieAnn Rico Allison, Chief Counsel to the School Board
- Vicki Evans-Paré, Associate Counsel Personnel
- Martin Mets, Director, Maintenance & Plant Operations
- Carolyn Killings, Business Agent, NCF&O, Local 1227