

BEFORE THE
PALM BEACH COUNTY SCHOOL BOARD, FLORIDA

ARTHUR C. JOHNSON, Ph.D.)
Superintendent of Schools)
 Petitioner,)
)
vs.)
)
SHERMAN LASTER,)
 Respondent.)
_____/

**PETITION FOR A FIFTEEN-DAY SUSPENSION WITHOUT PAY
AND TERMINATION OF EMPLOYMENT**

Arthur C. Johnson, Ph.D., Superintendent of Schools of the School District of Palm Beach County, Florida, pursuant to the due process provisions of Sections 120.569, 120.57, 1012.22(1)(f), 1012.27(5), and 1012.40, Florida Statutes, files this Petition for a Suspension without Pay and Termination of Employment of Respondent, Sherman Laster, from the School District of Palm Beach County, Florida for Committing a Lewd Act, Inappropriate Interactions with the Public, and Misuse of District Time, thereby precluding Respondent from meeting the School Board's minimum standards for continuing employment and constituting just cause for suspension of his employment for fifteen (15) workdays without pay and termination of his employment under Florida Statute Section 1012.22 (1)(f), 1012.27(5), and 1012.40; School Board Policies 1.013 and 3.27; and School Board Directive 3.27, and states as follows:

I. JURISDICTIONAL BASIS

1. The agency is the School Board of Palm Beach County, Florida, located at:

3340 Forest Hill Boulevard
West Palm Beach, Florida 33406-5869
Attn: Board Secretary

Petitioner, Arthur C. Johnson, Ph.D., is the duly appointed Superintendent of Schools of the Palm Beach County School District, Florida.

2. The address of the Petitioner is:

Superintendent of Schools
Palm Beach County School Board
c/o JulieAnn Rico Allison, Esq.
3318 Forest Hill Boulevard, Suite C-302
West Palm Beach, Florida 33406-5813

3. Petitioner has the statutory responsibility and obligation to recommend the placement of school personnel and to require compliance and observance by all personnel of all laws, policies and directives. Pursuant to Section 1012.27(5), Florida Statutes, Petitioner has the authority to recommend to the School Board of Palm Beach County, Florida, that school district employees be suspended from employment.
4. Respondent is employed by the School Board of Palm Beach County as a Community Resource Person at Lake Worth High School.
5. The last known mailing address of Respondent is 232 N.E. 5th Street, Delray Beach, Florida.
6. Respondent was duly notified of the recommendation for suspension without pay and termination of employment by letter dated the 3rd day of October, 2005. The letter was sent via certified mail, return receipt requested and regular U.S. mail.

II. ADMINISTRATIVE CHARGES

Petitioner, Arthur C. Johnson, Ph.D., alleges as follows:

7. During the 2004/2005 school year, Respondent was the subject of a Professional Standards investigation based upon allegations that he exposed his genitals to an adult female member of the public during duty hours after transporting students to an off-site location.
8. At the conclusion of the investigation, the allegations of Committing a Lewd Act, Inappropriate Interactions with the Public, and Misuse of District Time were sustained.


III. LEGAL BASIS FOR ADMINISTRATIVE CHARGES

9. The basis for charges upon which the employment of non-instructional personnel may be suspended is set forth in Florida Statutes §1012.40.
10. Just cause exists for Respondent to be disciplined by way of a fifteen (15) day suspension without pay and termination of employment pursuant to Florida Statutes Sections 1012.22 (1)(f), 1012.27(5), 1012.40; School Board Policies 1.013 and 3.27; and School Board Directive 3.27.

IV. DEMAND FOR RELIEF

WHEREFORE, Petitioner, Arthur C. Johnson, Ph.D., Superintendent of Schools, recommends that the School Board of Palm Beach County, Florida, suspend the Respondent without pay October 20, 2005, and terminate Respondent's employment upon the expiration of fifteen (15) days, subsequent to the October 19, 2005 School Board meeting subject only to appeal under Section

120.68, Florida Statutes, unless a timely request for administrative hearing is made within the fifteen (15) days stated herein pursuant to Sections 120.569 and 120.57, Florida Statutes wherein Respondent will remain suspended without the payment of salary or benefits until final School Board disposition is entered subsequent to the administrative hearing proceedings.


ARTHUR C. JOHNSON, Ph.D.
SUPERINTENDENT

STATE OF FLORIDA)
) SS
COUNTY OF PALM BEACH)

The foregoing instrument was executed before me this 5 day of October, 2005, by ARTHUR C. JOHNSON, Ph.D., who is personally known by me or ~~presented~~ _____ as identification, and who ~~took~~ did not take an oath.



Notary Public
State of Florida at Large



Raymond T. Miller
Commission #DD248584
Expires: Sep 09, 2007
Bonded Thru
Atlantic Bonding Co., Inc.

Type or Print Name of Notary
My Commission Expires: