

11-23-04



# Miami-Dade County Public Schools

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**Board Attorney**  
Johnny Brown

Suncom 432-1304  
January 26, 2005

**Miami-Dade County School Board**

Frank J. Bolaños, Chair  
Dr. Robert B. Ingram, Vice Chair  
Agustin J. Barrera  
Evelyn Langlieb Greer  
Perla Tabares Hantman  
Dr. Martin Karp  
Ana Rivas Logan  
Dr. Marta Pérez  
Dr. Solomon C. Stinson

Ann Cole, Clerk  
Division of Administrative Hearings  
1230 Apalachee Parkway  
Tallahassee, Florida 32399-1550

AT

**Superintendent of Schools**

Rudolph F. Crew, Ed.D.

**Re: The School Board of Miami-Dade County, Florida v. Sergio H. Escalona**  
**DOAH Case No. 04-1654**

JVL  
CWS

FILED  
JAN 28 A 11:56

Dear Ms. Cole:

Enclosed for your records please find a copy of the School Board's Final Order in the above-referenced case. Thank you for your attention to this matter.

Yours truly,

**MADELYN P. SCHERE**  
Senior Assistant Board Attorney

MPS/nc  
Enclosure

cc: John G. Van Laningham, Administrative Law Judge  
Ainslee R. Ferdie, Esquire  
Ms. Maria P. Rojas  
Ms. Ileana Martinez

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**IN THE SCHOOL BOARD OF  
MIAMI-DADE COUNTY, FLORIDA**

FILED

2005 JAN 28 A 11: 56

THE SCHOOL BOARD OF  
MIAMI-DADE COUNTY, FLORIDA,

Petitioner,

vs.

CASE NO. 04-1654

SERGIO H. ESCALONA,

Respondent.

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**FINAL ORDER OF THE SCHOOL BOARD  
OF -MIAMI-DADE COUNTY, FLORIDA**

THIS CAUSE having come on for hearing before The School Board of Miami-Dade County, Florida, at its regular meeting of January 19, 2005, upon the Administrative Law Judge's Recommended Order, recommending that Sergio H. Escalona be exonerated of all charges and that he be reinstated to employment with The School Board of Miami-Dade County, Florida, the Superintendent's Exceptions filed thereto, and Respondent's Response to the Exceptions, and the Board having been fully advised in the premises, it is thereupon ordered by The School Board of Miami-Dade County, Florida, that:

1. The Administrative Law Judge's findings of fact, conclusions of law and recommendation attached hereto, be and the same are hereby adopted as the Final Order of The School Board of Miami-Dade County, Florida;
2. The Superintendent's Exceptions to the Recommended Order be and the same are hereby denied.

3. Sergio H. Escalona is exonerated of all charges and his termination of employment is hereby rescinded;
4. Sergio H. Escalona shall receive any back salary which would have accrued during his suspension, with 7% interest, and any benefits that would have accrued during his suspension had he been working.

**DONE AND ORDERED** this 19<sup>th</sup> day of January, 2005.

**THE SCHOOL BOARD OF MIAMI-DADE  
COUNTY, FLORIDA**

By:   
Chair

Filed with the Clerk of The School Board of Miami-Dade County, Florida, this 26<sup>th</sup> day January, 2005.

**APPEAL OF FINAL ORDER**

This Order may be appealed by filing two (2) copies of a notice of appeal accompanied by a filing fee, as set out in section 120.68(2), Florida Statutes and Florida Rules of Appellate Procedure 9.110(b) and (c), within thirty (30) days of the rendition of this Final Order.