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November 8, 2019

Claudia Llado, Clerk
Division of Administrative Hearings
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060

**Re: The School Board of Miami-Dade County, Florida v. Luz Morales
DOAH Case No. 14-4175TTS**

Dear Ms. Llado:

We are in receipt of the letter from Director and Chief Judge John MacIver to Miami-Dade County School Board Attorney Walter J. Harvey, requesting that the School Board of Miami-Dade County, Florida ("School Board") file a copy of the School Board's Final Order with the Division of Administrative Hearings, in accordance with §120.57, Florida Statutes.

In response to this request, please be advised that the parties in the above-referenced matter have entered into a "Settlement Agreement" in lieu of a final order on July 30, 2015, which the School Board approved on August 5, 2015. See attached Board Item. There will, therefore, be no entry of a final order and we have closed our file in this case.

Thank you for your attention to this matter.

Regards,

Sara M. Marken

Assistant School Board Attorney

SMM/cn
Attachment

cc: John MacIver, Director and Chief Judge
Mr. Jorge Diaz-Cueto, Esq.
Ms. Joyce Castro
Ms. Celia Rubio

Office of School Board Attorney
Walter J. Harvey, School Board Attorney

**SUBJECT: MIAMI-DADE COUNTY SCHOOL BOARD v. LUZ MORALES, DOAH
Case No. 14-4175TTS**

On September 3, 2014, the School Board took action to suspend Luz Morales ("Respondent"), a teacher, without pay and initiated dismissal proceedings against her for just cause based on misconduct in office, violation of School Board Policies 3210, *Standards of Ethical Conduct*, 3210.01, *Code of Ethics*; and 3213, *Student Supervision and Welfare*. Respondent timely requested an administrative hearing, which was held on January 14, 2015, before Administrative Law Judge, John Van Laningham of the Division of Administrative Hearings ("DOAH").

The Administrative Law Judge ("ALJ") issued his Recommended Order on May 26, 2015, finding that just cause did not exist for Respondent's termination from employment. Consequently, the ALJ recommended that the School Board rescind its disciplinary action, reinstating Respondent to her teaching position and awarding her back pay for the time of her suspension. Exceptions to the Recommended Order were timely filed on behalf of both the Superintendent and the Respondent. After the Exceptions were filed the parties were able to reach an amicable solution to this matter.

The parties have reached a Settlement Agreement which will obviate the need for any further legal action by the School Board in this case. The essential terms of the Settlement Agreement provide that the Respondent will be reinstated to her employment as a teacher and shall receive back pay for a portion of the period of the suspension as outlined in the Agreement (provided to the Board under separate cover). Administration is in agreement with the settlement of this matter in the manner indicated herein. Acceptance of the proposed Settlement Agreement is in the best interests of the School Board.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, approve the proposed Settlement Agreement in the case of The School Board of Miami-Dade County, Florida v. Luz M. Morales, DOAH Case No. 14-4175TTS, reinstating Respondent and providing her a portion of back pay for the period of her suspension.