



Miami-Dade County Public Schools

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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. Rose Davidson
DOAH Case No. 16-007495TTS**

Dear Ms. Llado:

We are in receipt of a memorandum from Director and Chief Judge John Maclver 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 entered into a "Settlement Agreement" in lieu of a final order, which the School Board approved at its regular meeting of October 11, 2017, see attached Board Item. Accordingly, no final order was entered by the Board and we have closed our file in this case.

Thank you for your attention to this matter.

Sincerely,

Christopher J. LaPiano
Assistant School Board Attorney

CJL/lp

cc: John Maclver, Director and Chief Judge
Walter J. Harvey, Esq.

Office of Superintendent of Schools
Board Meeting of October 11, 2017

October 6, 2017

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

**SUBJECT: MIAMI-DADE COUNTY SCHOOL BOARD v. ROSE DAVIDSON, DOAH
Case No. 16-7495TTS**

On December 14, 2016, the School Board took action to suspend Respondent, Rose Davidson, a school teacher, without pay and initiated dismissal proceedings against her for Misconduct in Office, Gross Insubordination, and violations of School Board Policies 3210, Standards of Ethical Conduct, and 3210.0, Code of Ethics.

The employee requested a hearing challenging her dismissal and a final hearing in this case took place on April 26, 2017, before Administrative Law Judge Robert L. Kilbride ("ALJ") of the Division of Administrative Hearings ("DOAH"). The ALJ issued his Recommended Order on July 19, 2017, finding that Respondent violated School Board policies and recommending that the Respondent be reinstated but only after serving a suspension of a significant period, without pay.

The parties were able to negotiate an amicable resolution to this matter and have now reached a tentative Settlement Agreement which will obviate the need for any further legal actions by the School Board in this case. The essential terms of the Settlement Agreement (provided to the Board under separate cover) provides that the Respondent will be reinstated to her employment as a teacher as of January 8, 2018. In accordance with the proposed agreement, Respondent will not receive any back pay for the period of her suspension and will waive her right to appeal the disciplinary action taken by the School Board. Pursuant to the agreement, Respondent will serve a period of suspension of approximately one calendar year.

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 Miami-Dade County School Board v. Rose Davidson, DOAH Case No. 16-7495TTS, suspending Respondent without pay from the date of her suspension until the date of her reinstatement to her position as a school teacher on January 8, 2018.

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