

Office of School Board Attorney
Phyllis O. Douglas, Board Attorney

SUBJECT: SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. ROSNEL L. JOSEPH, DOAH CASE NO. 99-0754

On February 10, 1999, the School Board suspended Respondent, Rosnel L. Joseph ("Respondent"), without pay and initiated dismissal proceedings against him. A hearing was requested and the hearing was scheduled for June 2, 1999, before Linda Rigot, a duly-appointed Administrative Law Judge. Respondent was charged with deficient performance pursuant to § 231.29, Fla. Stat. On June 1, 1999, the day prior to the scheduled hearing date, Respondent tendered his resignation and withdrew his request for hearing.

It is recommended that the resignation be accepted as achieving the objective sought by the School Board in this case. Acceptance of this resignation does not alter the following effects of the employment termination:

1. Prevention of future employment in any teaching capacity by Miami-Dade County Public Schools;
2. Retention of the information regarding the dismissal action by the Superintendent of Schools as a matter of official record; and
3. Non-entitlement to accrued sick leave, if any.

Acceptance of the resignation, forwarded under separate cover, will obviate the requirement for further legal action by the School Board.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, accept the resignation of Rosnel L. Joseph, teacher at Melrose Elementary School, effective June 1, 1999.