

Office of Superintendent of Schools  
Board Meeting of June 23, 1999

June 9, 1999

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

**SUBJECT: APPROVAL OF SETTLEMENT AGREEMENT AND ACCEPTANCE OF  
RESIGNATION - SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA  
v. NESTOR MARTINEZ - DOAH CASE NO. 99-1790**

At its regularly scheduled meeting of April 14, 1999, the School Board took action to terminate the professional service contract of teacher Nestor Martinez for failure to satisfactorily correct identified performance deficiencies during his 90-Calendar Day Performance Probation. The teacher requested a hearing. The parties have reached a tentative settlement agreement, subject to School Board approval.

It is recommended that the Settlement Agreement be approved. Approval of the Settlement Agreement, forwarded under separate cover, will obviate the requirement for further legal action by the School Board. Administration is in agreement.

**RECOMMENDED:** That the School Board of Miami-Dade County, Florida, accept the resignation of Nestor Martinez, teacher at Campbell Drive Middle School, approve and authorize the School Board Attorney to execute the Settlement Agreement with Mr. Martinez in DOAH Case No. 99-1790.

**K-7**