

Office of Superintendent of Schools
Board Meeting of October 11, 2000

September 28, 2000

Office of School Board Attorney
Johnny Brown, Board Attorney

SUBJECT: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. ROSA O. DARLING - DOAH CASE NO. 99-4943

On November 17, 1999, the School Board suspended secretary/treasurer Rosa O. Darling from her employment with The School Board of Miami-Dade County, Florida, and initiated dismissal proceedings against her. A hearing was requested and the case was tried on March 24, March 29, and April 12, 2000, and by telephone conference call on June 21, 2000, before DOAH Administrative Law Judge Stuart M. Lerner in Miami, Florida. By recommended order entered August 28, 2000, the Administrative Law Judge sustained the School Board's charges of theft, incompetency, misconduct in office, willful neglect of duties, immorality, and conduct unbecoming a School Board employee, and recommended that the School Board enter a final order terminating the employee's employment.

Exceptions to the recommended order have been filed on behalf of the employee. Those exceptions, along with the recommended order and complete record in the case, have been forwarded to the School Board members under separate cover. The exceptions request modification of the evidence admitted during the hearing and modifications of the findings of fact. As a result, the exceptions request that the Administrative Law Judge's recommended order be rejected and that the employee be reinstated with back pay.

Pursuant to School Board rule, each attorney should be permitted fifteen minutes in which to address this matter, at which point the case will be ripe for final School Board action.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, enter its final order in the case of The School Board of Miami-Dade County, Florida v. Rosa O. Darling, accepting the recommendation of the Administrative Law Judge in DOAH Case No. 99-4943 or accepting the exceptions set forth in Respondent's Exceptions to Recommended Order, filed on behalf of the employee on September 11, 2000.

MPS/pyc

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