

Office of Superintendent of Schools
Board Meeting of November 15, 2000

October 31, 2000

Office of School Board Attorney
Johnny Brown, Board Attorney

SUBJECT: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. YVONNE M. WEINSTEIN - DOAH CASE NO. 99-5125

On November 17, 1999, the School Board suspended teacher Yvonne M. Weinstein 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 May 2-3, 2000, before DOAH Administrative Law Judge Patricia Hart Malono in Miami, Florida. By recommended order entered September 11, 2000, the Administrative Law Judge sustained the School Board's charge of incompetency and recommended that the School Board enter a final order sustaining the employee's suspension without pay and dismissing Yvonne M. Weinstein from employment with the School Board.

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 challenge the Findings of Fact, which, the employee asserts, has led to erroneous Conclusions of Law. The exceptions seek to have the Administrative Law Judge's recommended order modified and the employee reinstated with back pay.

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. Yvonne M. Weinstein, accepting the recommendation of the Administrative Law Judge in DOAH Case No. 99-5125 or accepting the exceptions set forth in Respondent's Exceptions to Recommended Order, filed on behalf of the employee on September 26, 2000.

MPS:pyc

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ITEM WITHDRAWN
(11/13/00)