

Office of Superintendent of Schools
Board Meeting of October 24, 2001

October 10, 2001

Office of School Board Attorney
Johnny Brown, Board Attorney

**SUBJECT: APPROVAL OF SETTLEMENT AGREEMENT
THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. VICTOR
I. ROA - SCHOOL BOARD CASE NO. DH 00-007-CAIN**

At its regularly scheduled meeting of October 11, 2000, the School Board took action to dismiss Victor I. Roa from further employment with the School Board for violations of School Board Rules 6Gx13-4A-1.09, *Employee-Student Relationships* and 6Gx13-4A-1.21, *Responsibilities and Duties*. The employee timely requested a hearing on the matter.

Information disclosed through the administrative discovery process revealed that the most severe allegations directed against the Respondent, which were the basis for the recommendation that his employment be terminated, were either false or could not be proven. Accordingly, the parties have now reached a settlement agreement pending Board approval that will resolve the remaining issues in this case. Upon consultation with the Office of Professional Standards, and with its approval, this office recommends that the settlement agreement forwarded under separate cover be accepted in its entirety, the terms of which include the following:

- 1) Respondent will be reinstated to the position of a custodian as of October 25, 2001;
- 2) Respondent will waive any and all claims to back pay from his last date of employment of October 11, 2000, up to the date of his reinstatement; and
- 3) Respondent will be required to undergo a complete re-employment screening as a condition of his reinstatement as a custodian.

Acceptance and approval of the settlement agreement, forwarded under separate cover, will obviate the requirement for further legal actions by the School Board.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, accept and approve the Settlement Agreement between The School Board of Miami-Dade County, Florida and Victor I. Roa in School Board Case No. DH 00-007-CAIN.

LMG/nc

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