

Office of School Board Attorney
Johnny Brown, Board Attorney

**SUBJECT: APPROVAL OF SETTLEMENT AGREEMENT
THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v.
RANIS FORD - DOAH CASE NO. 01-1218**

At its regularly scheduled meeting of March 14, 2001, the School Board took action to dismiss Ranis Ford from his position as an ACR Mechanic I for just cause including, but not limited to, deficient performance of job responsibilities, non-performance of job responsibilities, willful neglect of duty, gross insubordination and violation of School Board Rules 6G 13- 4-1.08, *Violence in the Work Place* and 6Gx13- 4A-1.21, *Responsibilities and Duties/Employee Conduct*. The employee timely requested a hearing on the matter, and subsequently, on March 29, 2001, the employee submitted a Florida Retirement System Application for Service Retirement which the School Board accepted at its regularly scheduled meeting of April 18, 2001.

Because the employee timely requested a hearing, the matter was submitted to the Division of Administrative Hearings for resolution prior to the Board's acceptance of Ford's retirement. The hearing in this matter was scheduled to take place over a 12-day period commencing on September 10, 2001, and ending on April 24, 2002.

After completing four days of the scheduled twelve day hearing, the parties have reached a settlement agreement pending School Board approval. The terms of the settlement agreement, forwarded under separate cover, include the following:

- (1) The employee is separated from all employment with the Board, effective March 14, 2001;
- (2) The employee will waive any and all claims to all monetary compensation from the Board, including back pay from the date of his separation from employment, costs and attorney's fees;
- (3) The employee will withdraw his request for an administrative hearing in this case;

C-6

- (4) The School Board will not seek repayment from Ford for the cost judgment entered against him in the case of Ranis Ford v. The School Board of Miami-Dade County, Florida, Case No. 98-1782 CIV-JORDAN, United States District Court, Southern District of Florida. The School Board further agrees not to seek costs and attorney's fees against Ford in administrative hearing, The School Board of Miami-Dade County, Florida v. Ranis Ford, DOAH Case No. 01-1218; and
- (5) Ford agrees to release, acquit and forever discharge the School Board, its officers, employees and agents from any and all claims -- including all claims for any and all back pay awards, as well as all actions, demands, grievances, damages, costs, attorney's fees, loss of service, expenses, and compensation of whatever kind which they currently have or may in the future arising from the facts that form the basis for, and give rise to, the above-styled action.

This office recommends that the attached settlement agreement be accepted as achieving the objective sought by the School Board in this case. Acceptance and approval of the settlement agreement will obviate the need for all further litigation by the School Board.

This item does not appear in the published agenda. There is good cause to vary from the agenda because the employee can withdraw his acceptance of the settlement agreement at any time prior to Board acceptance.

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 Ranis Ford to resolve in its entirety the case of The School Board of Miami-Dade County, Florida v. Ranis Ford, DOAH Case No. 01-1218.