

Office of Superintendent of Schools
Board Meeting of April 17, 2002

March 25, 2002

Office of School Board Attorney
Johnny Brown, Board Attorney

SUBJECT: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. AVERY G. NAIRN, DOAH NO. 01-2483

On June 20, 2001, The School Board suspended truck driver Avery G. Nairn, and initiated dismissal proceedings against him. A hearing was requested and the case was tried on December 3 and 4, 2001, before Florence Snyder Rivas, Administrative Law Judge of the Division of Administrative Hearings. Mr. Nairn was charged with deficient or non-performance of job responsibilities; gross insubordination and willful neglect of duty; and violation of School Board Rules 6Gx13-4-1.08-*Violence in the Workplace*, and 6Gx13-4A-1.21-*Responsibilities and Duties*.

By recommended order entered February 25, 2002, the Administrative Law Judge recommended that the School Board enter a final order sustaining Mr. Nairn's suspension without pay and terminating him from all employment with Miami-Dade County Public Schools. Mr. Nairn did not file any exceptions to the Recommended Order.

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. Avery G. Nairn, DOAH Case No. 01-2483, adopting the Administrative Law Judge's Recommended Order affirming the suspension without pay and dismissal of Avery G. Nairn.

JAG:pyc

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