

Office of Superintendent of Schools  
Board Meeting of August 21, 2002

August 9, 2002

Office of School Board Attorney  
Johnny Brown, Board Attorney

**SUBJECT: CONFIRMATION OF SETTLEMENT AGREEMENT  
THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v.  
ISABEL MONTES DE OCA - DOAH CASE NO. 02-1648**

At its regularly scheduled meeting of April 17, 2002, the School Board took action to dismiss Isabel Montes De Oca from further employment with the School Board for just cause including misconduct in office, immorality and violation of School Board Rule 6Gx13-4A-1.21, *Responsibilities and Duties*. The employee timely requested a hearing on the matter.

This case proceeded to its scheduled hearing on July 17-19, 2002. During the hearing, the parties reached a settlement agreement which was read into the record. Upon consultation with the Office of Professional Standards, and with its approval, this office recommends that the Board confirm acceptance of the settlement agreement, as embodied in the hearing transcript excerpt, forwarded under separate cover, the terms of which include the following:

1. Respondent will be suspended without pay for thirty (30) calendar days, effective at the close of the workday on April 17, 2002;
2. Respondent will be reinstated to the position of a teacher as of May 18, 2002;
3. Respondent's unused sick leave days will be reinstated;
4. Respondent's used personal leave days will not be reinstated; and
5. The parties agree to mutual general releases, no attorney fees, no retaliation, no admission of liability and other minor concessions outlined in the hearing transcript incorporated herein by reference.

Confirmation of the acceptance of the settlement agreement will obviate the requirement for further legal actions in this matter.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, confirm acceptance of the settlement agreement between The School Board of Miami-Dade County, Florida and Isabel Montes de Oca in DOAH Case No. 02-1648.