

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

August 9, 2002

Office of School Board Attorney
Johnny Brown, Board Attorney

SUBJECT: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. M.M. -CASE NO. 009-AD (Hamersmith)

On January 10, 2002, the School Board expelled Respondent, student M.M., from the adult school programs of the Miami-Dade County Public Schools for the maximum period permitted by the Code of Conduct for Adult Students. M.M. timely requested an administrative hearing to contest his expulsion and said hearing was held on April 11, 2002, before Hearing Officer Minda Hamersmith.

By recommended order entered July 24, 2002, the Hearing Officer found that the School Board had shown by a preponderance of the evidence that student M.M., while enrolled in the school district's adult program, committed an aggravated assault on a fellow student. Accordingly, the Hearing Officer recommended that the School Board enter a final order sustaining M.M.'s expulsion from the adult school programs of the Miami-Dade County Public Schools for the maximum period allowed, and that M.M. not be allowed re-admission into the adult programs until the period of the expulsion has elapsed.

RECOMMENDED: That The School Board of Miami-Dade County, Florida enter a final order in the case of The School Board of Miami-Dade County, Florida v. M.M., Case No. 009-AD-Hamersmith, adopting the Hearing Officer's Recommended Order sustaining M.M.'s expulsion from the adult school programs of the Miami-Dade County Public Schools through the current school year and for one (1) additional year, not allowing M.M. re-admission into the adult programs of the Miami-Dade County Public Schools until the period of the expulsion has elapsed, and barring M.M. from enrolling in, or visiting any Adult and Community Education Programs within the school district during the term of his expulsion.