

Office of School Board Attorney  
Johnny Brown, Board Attorney

**SUBJECT: APPROVAL OF SETTLEMENT AGREEMENT  
THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v.  
DEBRA STARKES - DOAH CASE NO. 04-1015**

At its regularly scheduled meeting of March 17, 2004, the School Board took action to suspend teacher Debra Starkes for thirty (30) workdays without pay for just cause including deficient performance of job responsibilities, and violation of School Board Rules 6Gx13-4A-1.21, *Responsibilities and Duties* and 6Gx13-5D-1.07, *Corporal Punishment - Prohibited*. The employee timely requested a hearing on the matter.

This case is scheduled for hearing on May 25, 2004. The parties have reached a tentative settlement agreement, subject to School Board approval. This office recommends that the Board accept the settlement agreement, forwarded under separate cover, the terms of which include the following:

1. Respondent will be suspended without pay for five (5) workdays, effective at the close of the workday on March 17, 2004;
2. Respondent will be returned to her employment as a teacher, effective March 25, 2004; and
3. Respondent will be reimbursed for any days of suspension served without pay above the five (5) days agreed to by the parties.

Administration is in agreement with this course of action. Acceptance of the settlement agreement will obviate the requirement for further legal actions in this matter.

This item does not appear in the published Agenda. There is good cause to vary from the Agenda in order to eliminate the necessity for the hearing currently scheduled for May 25, 2004.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, approve the settlement agreement between The School Board of Miami-Dade County, Florida and Debra Starkes in DOAH Case No. 04-1015.

MPS/pyc

**GOOD CAUSE  
C-3**