

Office of Superintendent of Schools
Board Meeting of May 19, 2004

May 5, 2004

Office of School Board Attorney
Johnny Brown, Board Attorney

SUBJECT: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. GLORIA P. SCAVELLA - DOAH CASE NO. 03-3206

On August 20, 2003, the School Board took action to suspend Gloria P. Scavella for thirty (30) days without pay for just cause, including but not limited to, conduct unbecoming a school board employee and violation of School Board Rule 6Gx13-5D-1.07, *Corporal Punishment Prohibited*. A hearing was requested and the case was tried on December 1, 2003, before Administrative Law Judge J.D. Parrish in Miami, Florida.

By recommended order entered March 30, 2004, the Administrative Law Judge found that the School Board had proven, by a preponderance of the evidence, that Gloria Scavella used corporal punishment in violation of School Board rules. As a result of her findings, Administrative Law Judge Parrish recommended that the School Board enter a final order affirming the thirty (30) day suspension without pay of Gloria Scavella.

Exceptions to the Recommended Order have been filed on behalf of the employee. Those exceptions, the Recommended Order, and complete record in this case, have been forwarded to the School Board members under separate cover. The exceptions seek to have the School Board reject the Administrative Law Judge's Recommended Order.

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. Gloria Scavella, DOAH Case No. 03-3206, either adopting the recommendation of the Administrative Law Judge, or adopting the exceptions set forth in the employee's Exceptions to the Recommended Order.

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