

Office of Superintendent of Schools
Board Meeting of June 16, 2004

June 11, 2004

Office of School Board Attorney
Johnny Brown, Board Attorney

SUBJECT: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. JIMMIE ALVIN - DOAH CASE NO. 03-3515

On September 11, 2003, the School Board suspended school security monitor Jimmie Alvin from his employment with The School Board of Miami-Dade County, Florida, and initiated dismissal proceedings against him for, but not limited to, excessive absenteeism, engaging in an improper employee-student relationship, being convicted of a crime involving moral turpitude and violation of School Board Rules 6Gx13-4A1.21, *Responsibilities and Duties* and 6Gx13-4A.1.09, *Employee-Student Relationships*. A hearing was requested and the case was tried on December 15, 2003 before DOAH Administrative Law Judge John G. Van Laningham by video teleconference in Miami-Dade County, Florida.

By recommended order entered March 19, 2004, the Administrative Law Judge recommended that the School Board enter a final order (a) exonerating Jimmie Alvin of all charges brought against him; (b) reinstating him to the position from which he was suspended without pay; and (c) awarding him back salary, plus benefits, that accrued during the suspension period, together with interest thereon at the statutory rate. The Board will be provided, under separate cover, the Administrative Law Judge's recommendation.

This item does not appear in the regular agenda. There is good cause to vary from the agenda in order that no further award of back pay, plus interest and benefits be provided to the employee.

RECOMMENDED: That The School Board of Miami-Dade County, Florida enter an order accepting the Administrative Law Judge's Recommended Order in the case of The School Board of Miami-Dade County, Florida v. Jimmie Alvin, DOAH Case No. 03-3515.

GOOD CAUSE
C-9

DW/pyc