

Office of Superintendent of Schools
Board Meeting of July 14, 2004

June 30, 2004

Office of School Board Attorney
Johnny Brown, Board Attorney

SUBJECT: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. MICHAEL W. DEPALO - DOAH CASE NO. 03-3242

On September 10, 2003, the School Board suspended teacher Michael W. Depalo from his employment as a teacher with The School Board of Miami-Dade County, Florida, and initiated dismissal proceedings against him for misconduct in office and violation of School Board Rules 6Gx13-4-1.08, *Violence in the Workplace* and 6Gx13-4A-1.21, *Responsibilities and Duties*. A hearing was requested and the case was tried on January 27, 2004, before DOAH Administrative Law Judge John G. Van Laningham in Miami-Dade County, Florida,

By recommended order entered May 20, 2004, the Administrative Law Judge recommended that the School Board enter a final order (a) exonerating Michael DePalo 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.

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. Michael W. Depalo, DOAH Case No. 03-3242.

DW/pyc

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