

Office of School Board Attorney
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SUBJECT: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. SERGIO H. ESCALONA - DOAH CASE NO. 04-1654

On May 19, 2004, the School Board took action to terminate teacher Sergio H. Escalona's employment contract with The School Board of Miami-Dade County, Florida, for failure to correct noted performance deficiencies. A hearing was requested and the case was tried on July 8-9, 2004, before DOAH Administrative Law Judge John G. Van Laningham in Miami-Dade County, Florida.

By recommended order entered November 23, 2004, the Administrative Law Judge recommended that the School Board enter a final order exonerating the employee of all charges and reinstating him with back pay and benefits.

Exceptions to the recommended order have been filed on behalf of the Superintendent of Schools. Those exceptions, along with the recommended order and complete record in the case, have been forwarded to the School Board members under separate cover. The exceptions challenge some of the Findings of Fact and a Conclusion of Law. The exceptions seek to have the Administrative Law Judge's recommended order modified and the employee's employment contract terminated.

RECOMMENDED: That The School Board of Miami-Dade County, Florida take one of the following actions in the case of The School Board of Miami-Dade County, Florida v. Sergio H. Escalona, DOAH Case No. 04-1654:

- (1) Adopt the Recommended Order of the Administrative Law Judge in its entirety as its Final Order; or
- (2) Adopt the Superintendent's Exceptions to the Recommended Order and enter a Final Order consistent with the Superintendent's Exceptions.

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