

Office of School Board Attorney  
Johnny Brown, Board Attorney

**SUBJECT: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. JOSE L. ROJAS - DOAH CASE NO. 05-0942**

On April 13, 2005, the School Board took action to terminate teacher Jose L. Rojas' employment contract with The School Board of Miami-Dade County, Florida, for failure to satisfactorily correct noted performance deficiencies during his 90 calendar day performance probation. A hearing was requested and the case was tried on May 20, 2005, before DOAH Administrative Law Judge Linda M. Rigot.

By Recommended Order entered July 29, 2005, the Administrative Law Judge ruled in the School Board's favor and recommended that the School Board enter a final order terminating the teacher's professional service contract, effective April 13, 2005, for failure to satisfactorily correct his performance deficiencies.

Exceptions to the Recommended Order have been filed on behalf of the teacher. 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 Conclusions of Law pertaining to the District's Professional Assessment and Comprehensive Evaluation System (PACES). The teacher's Exceptions seek to have the Administrative Law Judge's Recommended Order modified and the employee's employment contract reinstated with back pay and benefits.

**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. Jose L. Rojas - DOAH Case No. 05-0942:

(1) Adopt the Recommended Order of the Administrative Law Judge in its entirety as its Final Order; or

(2) Adopt the Exceptions to the Recommended Order filed on behalf of the teacher and enter a Final Order consistent with those Exceptions.

MPS/sh