

Office of School Board Attorney
JulieAnn Rico, Board Attorney

SUBJECT: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. LISSA NAPIER, DOAH CASE NO. 06-1755

At its regularly scheduled meeting of May 10, 2006, the School Board took action to suspend Lissa Nappier without pay and initiate dismissal proceedings against her from all employment with Miami-Dade County Public Schools for just cause including, but not limited to, misconduct in office and violation of School Board Rules 6Gx13- 4A-1.21, Responsibilities & Duties; and 6Gx13- 4A-1.213, Code of Ethics.

By Recommended Order entered September 29, 2006, the Administrative Law Judge ruled in the School Board's favor as to the Findings of Fact and Conclusions of Law. However, rather than terminate the employee, she recommended that the School Board enter a final order suspending the employee without pay for as long as the Board deemed necessary and, thereafter, return her to employment.

Exceptions to the Recommended Order have been filed on behalf of the Superintendent. Those exceptions, along with the Recommended Order and a complete record of the case, have been forwarded to the School Board members under separate cover. The exceptions challenge the penalty and recommend accepting the Findings of Fact and Conclusions 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. Lissa Nappier, DOAH Case No. 06-1755:

- (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 Superintendent and enter a Final Order consistent with those Exceptions.