

Office of School Board Attorney
JulieAnn Rico, Board Attorney

SUBJECT: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. CYNTHIA THOMPSON, DOAH Case No. 06-2761

On May 10, 2006, the School Board took action to suspend and initiate dismissal proceedings against Cynthia Thompson, an Exceptional Student Education paraprofessional with Miami Dade Public Schools. The charges included, among other things, misconduct in office, gross insubordination or willful neglect of duty, violation of corporal punishment policy, and violation of School Board rules dealing with employee conduct and violence in the workplace. Ms. Thompson requested an administrative hearing on the termination of her employment and the hearing was held on October 16, 2006, in Miami, Florida, before Administrative Law Judge John G. Van Laningham ("ALJ").

The charges against Ms. Thompson stemmed from the allegation that Ms. Thompson had used physical means to discipline or effect an ESE student's behavior. By Recommended Order entered on December 22, 2006, the ALJ found that there were only two witnesses to the alleged incident, one of them being Ms. Thompson. The ALJ found that Ms. Thompson's account of the incident was more credible than the account of the other witness. As a result of this finding, the ALJ ruled in favor of Ms. Thompson, and recommended that the School Board enter a final order exonerating the employee of all charges and reinstating her to a paraprofessional position with back pay, interest, and benefits, as may be due.

RECOMMENDED: That The School Board of Miami-Dade County, Florida enter a Final Order accepting the Administrative Law Judge's Recommended Order in the case of The School Board of Miami-Dade County, Florida v. Cynthia Thompson, DOAH Case No. 06-2861, exonerating Ms. Thompson of all charges brought against her in these proceedings, reinstating her as a paraprofessional with back pay, together with interest thereon at the statutory rate, and benefits that accrued, if any due, during the period of her suspension.