

Office of Superintendent of Schools
Board Meeting of February 14, 2007

February 13, 2007

Office of School Board Attorney
JulieAnn Rico, Board Attorney

SUBJECT: APPROVAL OF RESOLUTION OF:
THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FL., v. GLENN LEE,
DOAH CASE NO. 06-3962

REVISED

On May 10, 2006, the School Board took action to suspend and initiate dismissal proceedings against Mr. Glenn Lee on the grounds that he had failed to remediate noted deficiencies after being placed on a 90-day probationary performance period, pursuant to the provisions of section 1012.34, Fla. Stat. (2006). Mr. Lee's performance was assessed utilizing the District's PACES instrument. These assessments did not rely on the students' FCAT or local assessment results.

During the pendency of this case, Florida Fourth District Court of Appeals issued its opinion in *Sherrod v. Palm Beach County School Board*, whose holding may adversely impact the outcome of the School Board's case. Accordingly, we recommend that it is in the best interest of the Board to have this matter resolved by reinstating Mr. Lee to a teaching position as determined by the Superintendent. The resolution of this case includes payment of backpay and any fringe benefits that may have accrued during the period of his suspension. Administration is in agreement with the resolution of this case.

REVISED

DELETED

A memorandum providing a summary of the case and an explanation of the recommended resolution will be forwarded to the Board under separate cover.

REVISED

RECOMMENDED: That The School Board of Miami-Dade County, Florida approve the reinstatement of Glenn Lee to a teaching position in M-DCPS with payment of backpay and fringe benefits that may have accrued during the period of his suspension to bring to final resolution the case of The School Board of Miami-Dade County, Florida v. Glenn Lee, DOAH Case No. 06-3962.

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