

Office of Superintendent of Schools
Board Meeting of May 16, 2007

May 2, 2007

Office of School Board Attorney
JulieAnn Rico, Board Attorney

SUBJECT: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. CEDRIC MITCHELL - DOAH CASE NO. 06-1075

On March 15, 2006, the School Board suspended Cedric Mitchell and initiated dismissal proceedings against him for just cause, including, but not limited to misconduct in office and violation of School Board Rules 6Gx13- 4A-1.21, *Responsibilities and Duties*; and 6Gx13- 4A-1.213, *Code of Ethics*, in accordance with sections 1001.32(2), 1012.22(1)(f), 1012.32(1), 1012.33, and 447.209, Florida Statutes (2004) and the United Teachers of Dade Contract. A hearing was requested and held on October 23, 2006, before Administrative Law Judge J.D. Parrish in Miami-Dade County, Florida.

By Recommended Order entered February 15, 2007, the Administrative Law Judge recommended that the School Board enter a final order terminating Cedric Mitchell's employment contract.

Exceptions to the Recommended Order have been filed on behalf of the Respondent. 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 thereby reinstate Respondent to his position as a teacher.

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. Cedric Mitchell - DOAH Case No. 06-1075:

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

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