

Office of Superintendent of Schools
Board Meeting of July 11, 2007

July 2, 2007

Office of School Board Attorney
JulieAnn Rico, Board Attorney

SUBJECT: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. ROBERT BOUNDY - DOAH CASE NO. 06-2369

On March 15, 2006, the School Board suspended Robert Boundy for 30 work days for just cause, including, but not limited to misconduct in Office, violation of School Board Rules 6Gx13-4A-1.21, *Responsibilities and Duties*; 6GX13-5D-1.07, *Corporal Punishment Policy*, 6Gx13-4A-1.08, *violence in the Workplace*, and *State Board of Education Code of Ethics*. A hearing was requested and held on September 27, 2006, before Administrative Law Judge Errol H. Powell, Division of Administrative Hearings.

By Recommended Order entered on April 30, 2007, the Administrative Law Judge recommended that the School Board enter a final order for the 30-day suspension of Robert Boundy, without pay.

On May 11, 2007, Exceptions to the Recommended Order were filed by Respondent's counsel. On or about June 18, 2007, the Recommended Order and the complete record of the case was forwarded to the School Board members under separate cover. A copy of the Exceptions along with the Attorney's Office response will be provided under separate cover prior to the Board Meeting. The Exceptions seek to have the Administrative Law Judge's Recommended Order rejected and thereby cancel Respondent's suspension from his job position without pay.

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. Robert Boundy, DOAH Case No. 06-2369:

- (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 by the Respondent and enter a Final Order consistent with those Exceptions, stating with particularity its reasons and citing to the record to justify the change in the penalty.

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