

Office of School Board Attorney  
JulieAnn Rico, Board Attorney

**SUBJECT: APPROVAL OF SETTLEMENT AGREEMENT  
THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v.  
REINALDO MONTALVO, DOAH Case No. 07-3070**

At its regularly scheduled meeting of June 13, 2007, the School Board took action to suspend and initiate dismissal proceedings against Reinaldo Montalvo, a teacher with the District, from further employment with the School Board for just cause, including, but not limited to, violations of School Board rules concerning corporal punishment and violence in the workplace. The employee timely requested a hearing on the matter.

Recently, the parties reached a Settlement Agreement pending Board approval that will resolve the issues in this case. Upon consultation with the Superintendent's Office, and with its approval, this office recommends that the Settlement Agreement be accepted in its entirety, the terms of which include the following:

1. Mr. Montalvo will be suspended for thirty (30) workdays without pay from August 16, 2007-September 27, 2007. Mr. Montalvo further agrees to waive any and all back pay awards covering the period commencing September 28, 2007 and ending November 1, 2007. Mr. Montalvo will receive back pay for the period from November 2, 2007 to November 20, 2007.
2. Mr. Montalvo will be assigned to a teacher position immediately after the School Board approves this Agreement. His assignment shall be solely at the School Board's and the Superintendent's discretion to place him at any location, other than an alternative school, within the Miami-Dade County School District.

Acceptance and approval of the Settlement Agreement, forwarded under separate cover, will obviate the need for further legal action by the School Board.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida accept and approve the Settlement Agreement in the case of The School Board of Miami-Dade County v. Reinaldo Montalvo, DOAH Case No. 07-3070.