


MEMORANDUM

December 18, 2007

TO: Honorable Chair and Members of The School Board of
Miami-Dade County Florida

FROM: Rudolph F. Crew, Superintendent of Schools 

DATE: December 18, 2007

SUBJECT: **APPROVAL OF SETTLEMENT AGREEMENT IN THE CASE OF
SHEILA MITCHELL v. THE SCHOOL BOARD OF MIAMI-DADE
COUNTY, FL., U.S.D.C. CASE NO. 06-21663 CIV-GOLD/TURNOFF**

The attached Agenda Item G-1 is being withdrawn from the December 19, 2007 Agenda as Plaintiff's counsel has failed to provide the finalized settlement agreement. The matter will be postponed until the January 16, 2008, School Board meeting.

RFC:pyc
Attachment

cc: Superintendent's Cabinet
School Board Attorney

Office of Superintendent of Schools
Board Meeting of December 19, 2007

December 18, 2007

Office of School Board Attorney
JulieAnn Rico, Board Attorney

**SUBJECT: APPROVAL OF SETTLEMENT AGREEMENT IN THE CASE OF
SHEILA MITCHELL v. THE SCHOOL BOARD OF MIAMI-DADE
COUNTY, FL., U.S.D.C. CASE NO. 06-21663 CIV-GOLD/TURNOFF**

In June 2006, the above-referenced lawsuit was filed against the School Board. Plaintiff's complaint includes discrimination and hostile work environment claims based on race. Plaintiff's complaint is grounded on the assertion that she was transferred by the school principal in retaliation for having filed a grievance alleging discriminatory conduct. Plaintiff has also filed a claim for retaliation and defamation.

At the School Board meeting of November 20, 2007, the Board approved Item G-4, authorizing the School Board Attorney to make an offer of judgment in an amount not to exceed forty thousand (\$40,000). Subsequently, the parties were mandated by Court order to attend a settlement conference before the Magistrate Judge William Turnoff. At this mediation, the parties were able to reach a settlement agreement, subject to the approval of the Board. The Offer of Judgment authorized by the Board was instrumental in securing a settlement in this matter. The proposed settlement agreement requires the School Board to pay the Plaintiff the total sum of \$55,000, in full and final settlement of this case. The settlement amount includes court costs and attorney's fees. If approved, the proposed settlement will conclude all litigation in this matter.

Administration is in agreement with the proposed settlement of this case. Acceptance and approval of the settlement agreement is in the best interest of the School Board. A copy of the proposed settlement agreement, along with a memorandum providing the background for this case will be provided to the School Board under separate cover.

RECOMMENDED: That the School Board of Miami-Dade County, Florida approve the Settlement Agreement in the case of Sheila Mitchell v. The School Board of Miami-Dade County, Florida, U.S.D.C. Case No. 06-21663 CIV-GOLD/TURNOFF, and that the School Board submit payment in the amount of \$55,000, to the Plaintiff, as full and final settlement of all claims, court costs and attorney's fees in this case.

G-1
WITHDRAWN
(12/18/07)