

Office of Superintendent of Schools
Board Meeting of November 18, 2008

November 14, 2008

Office of School Board Attorney
JulieAnn Rico, Board Attorney

SUBJECT: APPROVAL OF SETTLEMENT AGREEMENT
THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. HENRY RILEY, DOAH Case No. 07-0560

At its regularly scheduled meeting of January 17, 2007, the School Board took action to suspend and initiate dismissal proceedings against Henry Riley, a School Security Monitor with the District, from further employment with the School Board for just cause including, but not limited to, violation of School Board Rules 6Gx13-4-1.09, *Employee-Student Relationships*, 6Gx13- 4A-1.21, *Responsibilities and Duties*; and 6Gx13-4A-1.213, *Code of Ethics*. The employee timely requested a hearing on the matter.

The parties have 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. Riley will receive six months of back pay. Mr. Riley agrees to waive any and all back pay awards covering the period commencing July 18, 2007 until his reinstatement.
2. Mr. Riley will be reinstated to his prior position as a Security Monitor. His reinstatement shall be solely at the School Board's and the Superintendent's discretion to reinstate him at any location 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 approve the Settlement Agreement in the case of The School Board of Miami-Dade County, Florida v. Henry Riley, DOAH Case No. 07-0560.

Replacement
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