

Office of Superintendent of Schools
Board Meeting of February 11, 2009

January 30, 2009

Office of School Board Attorney
Luis M. Garcia, Interim School Board Attorney

**SUBJECT: APPROVAL OF SETTLEMENT AGREEMENT
THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. DIANE
DIALS, DOAH Case No. 08-1762**

At its regularly scheduled meeting of March 12, 2008, the School Board took action to suspend Diane Dials, a Food Service Manager with the District, for thirty calendar days without pay for just cause including, but not limited to, violation of School Board Rules 6Gx13- 4A-1.21, *Responsibilities and Duties*; 6Gx13-4A-1.213, *Code of Ethics*; and 6Gx13-4-1.08 *Violence in the Workplace*. Ms. Dials 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 paying Ms. Dials fifteen days of back pay.

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. Diane Dials, DOAH Case No. 08-1762.

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