

MEMORANDUM

November 23, 2010

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

FROM: Alberto M. Carvalho, Superintendent of Schools *AMC*

SUBJECT: **WITHDRAWAL OF AGENDA ITEM D-59
ELLIS J. MILLEDGE**

The attached Agenda Item D-59 is being withdrawn from the November 24, 2010 Agenda due to the fact that Mr. Ellis J. Milledge tendered his resignation effective November 19, 2010. Acceptance of the resignation will obviate the need for any further action on this matter.

Attachment
M-488

cc: Superintendent's Cabinet
School Board Attorney

Office of Superintendent of Schools
Board Meeting of November 24, 2010

November 4, 2010

Office of Professional Standards
Maria Teresa Rojas, Assistant Superintendent

**SUBJECT: RECOMMENDED SUSPENSION WITHOUT PAY AND INITIATE
DISMISSAL PROCEEDINGS OF EMPLOYEE PENDING APPEAL
ELLIS J. MILLEDGE- CUSTODIAN
MERRICK EDUCATIONAL CENTER**

**LINK TO DISTRICT
FRAMEWORK: SCHOOL/DISTRICT LEADERSHIP**

On November 4, 2010, the following letter was sent to Mr. Ellis J. Milledge:

This is to notify you that the Superintendent of Schools will be recommending to The School Board of Miami-Dade County, Florida, at its scheduled meeting of November 24, 2010, that the School Board suspend you without pay and initiate dismissal proceedings against you from your current position as Custodian at Merrick Educational Center, effective at the close of the workday, November 24, 2010, for just cause, including, but not limited to: non-performance and deficient performance of job responsibilities; gross insubordination; and violation of School Board Rules 6Gx13- 4A-1.21, Responsibilities and Duties; and 6Gx13- 4A-1.213 Code of Ethics. This action is taken in accordance with Sections 1001.32(2), 1012.22(1)(f), 1012.40, and 447.209, Florida Statutes; and Articles II and XI of the **Contract between the Miami-Dade County Public Schools and the American Federation of State, County, and Municipal Employees (AFSCME)**.

If you wish to contest your suspension and dismissal, you must request in writing within 20 calendar days of notice of the Board action, a hearing or grievance/arbitration proceeding. The grievance/arbitration proceeding is regulated by Articles VII and XI of the AFSCME Contract. Your selection of one appeal method waives the right to select the other appeal method in the future. If you select arbitration, you must also notify AFSCME of your selection and obtain AFSCME's written concurrence.

If the School Board accepts (or approves) the Superintendent's recommendation, you will be notified of the School Board's action.

RECOMMENDED: That effective November 24, 2010, at the close of the workday, the School Board suspend without pay and initiate dismissal proceedings against Mr. Ellis J. Milledge, Custodian at Merrick Educational Center, pending the outcome of a hearing, if requested.

MTR

**WITHDRAWN
(November 23, 2010)**

D-59