

Office of School Board Attorney
Walter J. Harvey, Board Attorney

SUBJECT: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. LUIS G. GUERRERO - DOAH CASE NO. 10-9452

On September 7, 2010, the School Board suspended Luis G. Guerrero and initiated dismissal proceedings against him 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*, in accordance with sections 1001.32(2), 1012.22(1)(f), 1012.33(1)(a) and (6)(a), and 447.209, Florida Statutes (2010) and the UTD Contract. A hearing was requested and held on April 27, 2011, before Administrative Law Judge. By Recommended Order entered August 3, 2011, Administrative Law Judge Robert E. Meale recommended that the School Board enter a final order terminating Luis G. Guerrero's employment.

On August 18, 2011, Exceptions to the Recommended Order were filed by the Respondent. A response to the Exceptions was filed on behalf of the School Board. Those exceptions, along with the Recommended Order and a complete record of the case, will be forwarded to the School Board members under separate cover. The exceptions seek to have the Administrative Law Judge's Recommended Order rejected and thereby reinstate Respondent to his job position as a teacher.

RECOMMENDED: That The School Board of Miami-Dade County, Florida take one of the following actions in the case of The School Board of Miami-Dade County, Florida v. Luis G. Guerrero - DOAH Case No. 10-9452

- (1) Adopt the Recommended Order of the Administrative Law Judge in its entirety as its Final Order; or
- (2) Adopt the Exceptions to the Recommended Order filed by the Respondent and enter a Final Order consistent with those Exceptions.