

Office of Superintendent of Schools
Board Meeting of June 18, 2014

June 4, 2014

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

SUBJECT: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. TAMARA SNOW, DOAH Case Nos. 12-3603TTS and 13-1177TTS

On October 11, 2012, the School Board took action to suspend Respondent, Tamara Snow, a middle school teacher, for thirty (30) workdays for just cause based on gross insubordination and violations of School Board Policies 3210 – Standards of Ethical Conduct, 3210.01 – Code of Ethics, and 3430 – Leaves of Absence, in accordance with §§ 1001.32(2), 1022.22(1)(f), 1012.33(1)(a) and (6)(a), and 447.209, Fla. Stat. (2012), and State Board Rules 6B-1.001, 6B-1.006, and 6B-4.009, F.A.C.

On March 13, 2013, the School Board took action again, this time to suspend Ms. Snow without pay and initiate dismissal proceedings against her for just cause based on misconduct in office, gross insubordination, violations of School Board Policies 3210 – Standard of Ethical Conduct, 3210.01 – Code of Ethics, 3430 – Leaves of Absence, 3121.01 – Employment Standards and Fingerprinting of all Employees, in accordance with §§ 1001.32(2), 1012.22(1)(f), 1012.33, and 447.209, Fla. Stat. (2013) and State Board Rules 6A-5.056, 6B-1.001, and 6B-1.006, F.A.C.

Respondent timely appealed both actions, and the cases proceeded as one consolidated matter to an administrative hearing on August 21, 2013, and September 9, 2013. Administrative Law Judge, Cathy M. Sellers, presided over the two day hearing and issued a Recommended Order on March 31, 2014. Judge Sellers found just cause existed under §1012.33, Fla. Stat. to suspend Ms. Snow without pay and terminate her employment. However, Judge Sellers believed termination was too harsh and recommended upholding Respondent's thirty day suspension without pay from 2012 along with her suspension from March 13, 2013 though the summer vacation following the 2013-2014 school year. Instead of terminating Ms. Snow's employment, Judge Sellers recommended that the School Board reinstate Ms. Snow as a teacher at the start of the 2014-2015 school year.

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(WITHDRAWN)

06/12/2014

Exceptions to the Recommended Order were timely filed on behalf of the Superintendent. 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 portions of the Administrative Law Judge's Recommended Order rejected and to have Respondent's dismissal from employment sustained.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, take one of the following actions in the consolidated case of The School Board of Miami-Dade County, Florida v. Tamara Snow, DOAH Case Nos. 12-3603TTS and 13-1177TTS:

- (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 Superintendent and enter a Final Order consistent with those Exceptions.