

Office of Superintendent of Schools  
Board Meeting of December 19, 2018

December 6, 2018

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

**SUBJECT: MIAMI-DADE COUNTY SCHOOL BOARD v. HUGO GARCIA,  
DOAH Case No. 18-4556**

On August 15, 2018, the School Board took action to suspend without pay and initiate dismissal proceedings against Respondent Hugo Garcia ("Respondent"), a Staff Auditor II, for just cause, including but not limited to misconduct in office and violation of School Board Policies 1210, *Standards of Ethical Conduct*; 1210.01, *Code of Ethics*; and 1121.01, *Employment Standards and Fingerprinting* in accordance with §§ 1001.32(2), 1012.22(1)(f), 1012.32, 1012.40, 435.04, 435.06 and 447.209, Florida Statutes.

The misdemeanor charges that led to Respondent's suspension have now been dismissed, and all pending court matters were closed in favor of the employee through the entry of a *nolle prosequi*. Accordingly, the parties have entered into a tentative Settlement Agreement that provides for Respondent's reinstatement without back-pay. A copy of the Settlement Agreement will be provided to the School Board under separate cover.

Administration is in agreement with the disposition of this matter in the manner indicated herein. Acceptance of the proposed Settlement Agreement is in the best interests of the School Board.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida approve the proposed Settlement Agreement in the case of Miami-Dade County School Board v. Hugo Garcia, DOAH Case No. 18-4556, suspending Respondent without pay for the period of his suspension already served and reinstating him to his position as a Staff Auditor II with the School Board under the conditions specified in the Settlement Agreement.