

Office of Superintendent of Schools
Board Meeting of April 18, 2001

April 9, 2001

Office of School Board Attorney
Johnny Brown, Board Attorney

SUBJECT: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. JOSE MARTINEZ - CASE NO.: 99-012 MCKINNEY

On March 15, 2000, the School Board suspended, without pay, School Police Officer Jose Martinez from his employment with The School Board of Miami-Dade County, Florida, and initiated dismissal proceedings against him. A hearing was requested and the case was tried on December 13-14, 2000, before Local Hearing Officer Robert McKinney, in Miami, Florida. By recommended order entered March 30, 2001, the Hearing Officer sustained the School Board's charge of conduct unbecoming a school board employee and recommended that the School Board enter a final order sustaining the dismissal of Jose Martinez from employment with the School Board. Notwithstanding this recommendation, the Hearing Officer also recommended that the School Board overturn Jose Martinez's suspension, without pay, on March 15, 2000, and award him back pay for the period of his suspension. Finally, the Hearing Officer did not sustain the School Board's charge against Jose Martinez that he violated the School Board's employee/student relationship rule.

Exceptions to the recommended order must be filed by April 16, 2001. Both the School Board's exceptions and the employee's exceptions, if any, along with the recommended order and complete record in this case, will be forwarded to the School Board members under separate cover prior to the Board meeting.

Details of the recommendation will be submitted prior to the Board meeting.

TAP/pc

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