

Office of Superintendent of Schools
Board Meeting of August 22, 2001

August 10, 2001

Office of School Board Attorney
Johnny Brown, Board Attorney

SUBJECT: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. EDA R. FERNANDEZ - DOAH CASE NO. 00-1945

On May 17, 2000, the School Board suspended teacher Eda R. Fernandez from her employment with The School Board of Miami-Dade County, Florida, and initiated dismissal proceedings against her for incompetency. A hearing was requested and the case was tried on February 26, 2001, before DOAH Administrative Law Judge Errol Powell in Miami, Florida. By recommended order entered June 29, 2001, the Administrative Law Judge sustained the School Board's charge and recommended that the School Board enter a final order terminating the employment of Eda R. Fernandez.

Exceptions to the Recommended Order have been filed on behalf of the employee. Those exceptions, along with the Recommended Order and complete record in the case, have been forwarded to the School Board members under separate cover. The exceptions challenge some of the Findings of Fact. The exceptions seek to have the Administrative Law Judge's Recommended Order modified and the employee reinstated with full back pay and benefits.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, enter a final order in the case of The School Board of Miami-Dade County, Florida v. Eda R. Fernandez, either accepting the recommendation of the Administrative Law Judge, or accepting the exceptions set forth in the employee's Exceptions to the Recommended Order.

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