

Office of Superintendent of Schools  
Board Meeting of February 13, 2002

January 30, 2002

Office of School Board Attorney  
Johnny Brown, Board Attorney

**SUBJECT: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. GENEVA WASHINGTON - DOAH CASE NO. 01-2832**

On July 11, 2001, the School Board took action to suspend Geneva Washington for 10 days without pay from her position as a Cook I at Melrose Elementary School. A hearing was requested and the case was tried on October 10, 2001, before DOAH Administrative Law Judge Stuart M. Lerner in Miami, Florida.

By recommended order entered December 7, 2001, the Administrative Law Judge sustained the School Board's charges of gross insubordination and violation of School Board Rule 6G x13-4A-1.21, *Responsibilities and Duties*, dismissed the charge of violence in the workplace, and reduced the imposed penalty from a 10-day suspension to a 5-day suspension.

Pursuant to the Recommended Order, Ms. Washington was advised that she had 15 days from December 7, 2001, to file exceptions, or request an extension of time. Due to the holiday season, Ms. Washington had an additional 5 days in which to file exceptions, making her exceptions due on December 27, 2001. On January 2, 2002, Ms. Washington, through her attorney, filed exceptions to the Recommended Order. Ms. Washington requests that her exceptions be permitted to be late-filed so that her argument can be heard at a future Board meeting.

The Office of the School Board Attorney is recommending that the School Board reject the filed exceptions as untimely and adopt the Recommended Order of the Administrative Law Judge as the Final Order of the School Board.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida:

- (1) grant Ms. Washington's request to late file Exceptions to the Recommended Order; or
- (2) deny and adopt the Recommended Order of the Administrative Law Judge in the case of The School Board of Miami-Dade County, Florida v. Geneva Washington, DOAH Case No. 01-2832.