

Office of Superintendent of Schools
Board Meeting of August 21, 2002

August 9, 2002

Office of School Board Attorney
Johnny Brown, Board Attorney

SUBJECT: SETTLEMENT AGREEMENT
THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v.
LILLIAN SANTANA - DOAH CASE NO. 02-1681

At its regularly scheduled meeting of April 17, 2002, the School Board took action to suspend Lillian Santana from her position as a school bus driver for thirty days without pay for just cause including, but not limited to, non-performance and deficient performance of job responsibilities; violation of School Board Rule 6Gx13-~~3E~~-1.10, *Transportation - Specific Procedures*; and violation of School Board Rule 6Gx13-4A-1.21, *Responsibilities and Duties*. The employee timely requested a hearing on the matter which was scheduled to occur on July 22, 2002.

The parties have reached a settlement agreement pending School Board approval. The terms of the settlement agreement, forwarded under separate cover, includes the following:

1. The School Board will rescind its decision to suspend employee's employment for 30 calendar days and instead will issue a written reprimand;
2. The employee agrees that the written reprimand sanction imposed by the School Board is a result of improper conduct; and
3. The employee shall comply with the AFSCME Labor Contract as well as with all rules, regulations and policies of the School Board.

This office recommends that the settlement agreement be accepted in its entirety. Administration concurs with this recommendation. Acceptance and approval of the settlement agreement will obviate the need of further litigation in this matter.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, accept and approve the settlement agreement between The School Board of Miami-Dade County, Florida and Lillian Santana in DOAH Case No. 02-1681.