

Office of Superintendent of Schools
Board Meeting of November 20, 2002

November 7, 2002

Office of School Board Attorney
Johnny Brown, Board Attorney

SUBJECT: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. MICAH D. HARRELL - DOAH CASE NO. 02-1447

On April 17, 2002, the School Board took action to terminate Micah D. Harrell's professional service contract of employment due to his failure to remedy his teaching deficiencies during his ninety (90) calendar day performance probation period. A hearing was requested and the case was tried on June 4 and 21, 2002, before Administrative Law Judge Claude B. Arrington in Miami, Florida.

By recommended order entered September 10, 2002, the Administrative Law Judge found that the School Board had proven, by a preponderance of the evidence, that Micah D. Harrell failed to perform in a satisfactory manner and failed to correct his deficiencies within the 90-calendar day performance probation period. As a result of his findings, Administrative Law Judge Arrington recommended that the School Board enter a final order terminating Micah D. Harrell's professional service contract, thereby affirming his dismissal from employment with the School Board.

Exceptions to the Recommended Order have been filed on behalf of the employee. Those exceptions, the Recommended Order, and complete record in this case, will be forwarded to the School Board members under separate cover. The exceptions seek to have the School Board reject the Administrative Law Judge's Recommended Order.

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. Micah D. Harrell, DOAH Case No. 02-1447, either adopting the recommendation of the Administrative Law Judge, or adopting the exceptions set forth in the employee's Exceptions to the Recommended Order.

MPS/pyc

C-1
ITEM WITHDRAWN
(11/20/02)