

Office of Superintendent of Schools
Board Meeting of January October 22, 2003

October 8, 2003

Office of School Board Attorney
Johnny Brown, Board Attorney

SUBJECT: SETTLEMENT OF ROBERTO J. CRUZ v. MIAMI-DADE COUNTY SCHOOL BOARD, UNITED STATES DISTRICT COURT CASE NO.: 03-21013-CIV-HUCK

This lawsuit was filed in Circuit Court on February 4, 2002, alleging a claim under the Florida Civil Rights Act. After Plaintiff amended his complaint to include a claim under the Federal Rehabilitation Act, we removed the case to the United States District Court for the Southern District of Florida on April 24, 2003. In both complaints, Plaintiff claimed that he was discriminated against by the School Board on the basis of his alleged disability.

A mediated settlement was negotiated resolving this case in its entirety. Under the terms of the settlement agreement, the School Board agrees to pay the sum of \$55,000 to Plaintiff, and the Plaintiff agrees to release the Board from all claims, including damages, attorney's fees and costs.

The Office of the School Board Attorney and administration recommend that the School Board authorize and approve the settlement of this lawsuit for reasons set forth in the attorney work product memorandum submitted to the Board under separate cover.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Superintendent to enter into the Settlement Agreement and pay the sum of \$55,000 to Plaintiff in the case of Roberto J. Cruz v. Miami-Dade County School Board, United States District Court Case No.: 03-21013-CIV-HUCK. The settlement will release the School Board from all claims including damages, attorneys' fees and costs.

MAR/pyc

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