

Office of Superintendent of Schools  
Board Meeting of December 10, 2003

December 1, 2003

Office of School Board Attorney  
Johnny Brown, Board Attorney

**SUBJECT: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. BENITA A. ROBERTS - DOAH CASE NO.02-0835**

On February 13, 2002, the School Board suspended and initiated dismissal proceedings against Benita A. Roberts, a school cafeteria manager, for just cause, including, but not limited to, deficient and/or non-performance of job responsibilities, misconduct in office, lack of good moral character and violation of School Board Rule 6Gx13-4A-1.21, (*Responsibilities and Duties–Employee Conduct*). A hearing was requested and the case was tried on June 9, 2003, before Administrative Law J.D. Parrish, of the Division of Administrative Hearings.

By recommended order entered October 31, 2003, the Administrative Law Judge found that there was just cause to terminate Respondent's employment on charges of non-performance of job responsibilities, conduct unbecoming a School Board employee and for violation of School Board rules, and recommended that the School Board enter a final order terminating Benita A. Roberts from her position as a school cafeteria manager.

**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. Benita A. Roberts, DOAH Case No. 02-0835, adopting the Administrative Law Judge's Recommended Order sustaining the suspension without pay of Benita Roberts and terminating her employment with The School Board of Miami-Dade County, Florida, as of February 13, 2002, and denying any claim for back pay.

LMG/pyc

**C-3**