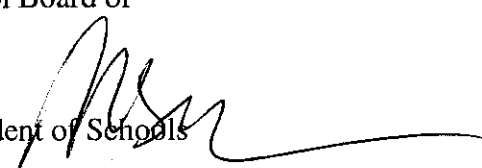


MEMORANDUM

June 11, 2004

TO: Chair and Members of The School Board of  
Miami-Dade County, Florida

FROM: Merrett R. Stierheim, Superintendent of Schools 

SUBJECT: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. DANIEL  
J. EPSTEIN - DOAH CASE NO. 03-4041

The attached Agenda Item C-5 is being withdrawn due to the employee's filing of exceptions at the very last permissible moment. The record must be compiled for your review. The matter will be rescheduled for hearing at the next Board meeting.

MRS

Office of Superintendent of Schools  
Board Meeting of June 16, 2004

June 2, 2004

Office of School Board Attorney  
Johnny Brown, Board Attorney

**SUBJECT: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. DANIEL J. EPSTEIN - DOAH CASE NO. 03-4041**

On October 22, 2003, the School Board suspended teacher Daniel J. Epstein from his employment as a teacher with The School Board of Miami-Dade County, Florida, and initiated dismissal proceedings against him for misconduct in office, incompetency, and immorality. A hearing was requested and the case was tried on February 11, 2004, before DOAH Administrative Law Judge Patricia Hart Malono in Miami-Dade County, Florida, via video teleconference.

By recommended order entered May 26, 2004, the Administrative Law Judge sustained the School Board's charge of misconduct in office and recommended that the School Board enter a final order sustaining the employee's suspension without pay and terminating Daniel J. Epstein from employment with the School Board.

**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. Daniel J. Epstein, DOAH Case No. 03-4041, adopting the Administrative Law Judge's Recommended Order sustaining the suspension without pay of Daniel J. Epstein and terminating his employment with The School Board of Miami-Dade County, Florida, as of October 22, 2003, and denying any claim for back pay.

WITHDRAWN

6/11/04

C-5

MPS/pyc