

Office of Superintendent of Schools
Board Meeting of February 14, 2007

February 1, 2007

Office of School Board Attorney
JulieAnn Rico, Board Attorney

SUBJECT: APPROVAL OF SETTLEMENT AGREEMENT
THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FL., v. GLENN LEE,
DOAH CASE NO. 06-3962

On May 10, 2006, the School Board took action to suspend and initiate dismissal proceedings against Mr. Glenn Lee on the grounds that he had failed to remediate noted deficiencies after being placed on a 90-day probationary performance period, pursuant to the provisions of section 1012.34, Fla. Stat. (2006) Mr. Lee's performance was assessed utilizing the District's PACES instrument. These assessments did not rely on the students' FCAT or local assessment results.

During the pendency of this case, the Fourth District Court of Appeals issued its opinion in *Sherrod v. Palm Beach County School Board*, whose holding may adversely impact the outcome of the School Board's case. Accordingly, we recommend that this matter be settled as being in the best interest of the Board. A Settlement Agreement, subject to the approval of the Board, has been reached between the parties. Administration is in agreement with the settlement.

The settlement provides that Mr. Lee be reinstated with backpay and any fringe benefits that may have accrued during the period of his suspension, including salary steps and service credits for retirement purposes.

A copy of the Settlement Agreement along with a memorandum explaining the settlement and a summary of the case will be forwarded to the Board under separate cover.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, accept and approve the Settlement Agreement in the case of The School Board of Miami-Dade County, Florida v. Glenn Lee, DOAH Case No. 06-3962.

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