

Office of School Board Attorney
Luis M. Garcia, Interim School Board Attorney

**SUBJECT: C.L. v. MIAMI-DADE COUNTY SCHOOL BOARD,
DOAH Case No. 08-3135E**

This case involves a Petition for a due process hearing filed by parents of a student enrolled in Miami-Dade County Public Schools who assert that the school district failed to identify and meet the student's specialized educational needs. After the case was filed and discovery had commenced, attempts were made by both sides to amicably resolve this matter without the need for an evidentiary hearing. The parties have now reached a Settlement Agreement that will resolve the issues in dispute and obviate the need for further proceedings in this matter.

The essential terms of the proposed Settlement Agreement, pending Board approval, are as follows:

1. As reimbursement for expenses incurred in receiving private educational services (inclusive of attorney's fees), the School Board will pay Petitioner the sum of twenty-five thousand dollars (\$25,000.00); and
2. In consideration of the settlement proceeds, the Petitioner will withdraw the request for a due process hearing, dismiss the pending case with prejudice, and release the Board from any and all liability associated with this matter.

Acceptance and approval of the Settlement Agreement, forwarded under separate cover, is in the best interests of the School Board. Administration is in agreement with this recommendation and with the proposed Settlement Agreement.

RECOMMENDED: That The School Board of Miami-Dade County, Florida approve the Settlement Agreement, as described herein, in the case known as *C.L. v. Miami-Dade County School Board*, DOAH Case No. 08-3135E, and authorize the payment to Petitioner of \$25,000.00 for the settlement of any and all claims associated with this matter.