

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

**SUBJECT: APPROVAL OF SETTLEMENT AGREEMENT IN THE MATTER OF
EMPLOYEE - ODELL DOWNER, TEACHER**

At its regularly scheduled meeting of March 25, 2009, the School Board took action to suspend without pay and initiate dismissal proceedings against teacher Odell Downer for just cause, including, but not limited to: failure to correct noted performance deficiencies within the 90 calendar day performance probation period. Mr. Downer timely requested a hearing on his dismissal. Subsequently, Administration reached a tentative settlement agreement with the employee that addresses the noted performance deficiencies and obviates the need for a hearing.

The current settlement proposal will resolve all outstanding claims and disputes, and is recommended as being in the best interest of the Board given the consideration of the full range of information which was developed throughout this matter. A copy of the Settlement Agreement and Release will be provided to the Board under separate cover.

Acceptance and approval of the Settlement Agreement will obviate the need for further legal action by the School Board.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, approve the settlement with Odell Downer in the case of The School Board of Miami-Dade County, Florida v. Odell Downer.