

Office of Superintendent of Schools  
Board Meeting of September 9, 2009

August 26, 2009

Office of School Board Attorney  
Walter J. Harvey, School Board Attorney

**SUBJECT: APPROVAL OF SETTLEMENT AGREEMENT  
THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v.  
PATRICIA BRICENO - DOAH CASE NO. 09-2584**

At its regularly scheduled meeting of April 22, 2009, the School Board took action to suspend and initiate dismissal proceedings against Patricia Briceno, a teacher with the District. The charges included violations of School Board Rules 6Gx13- 5D-1.07 Corporal Punishment-Prohibited; 6Gx13- 4A-1.21, Responsibilities and Duties and 6Gx13- 4A-1.213, Code of Ethics. The employee timely requested a hearing on the matter.

The parties have reached a Settlement Agreement pending Board approval that will resolve the issues in this case. Upon consultation with the Superintendent's Office, and with its approval, this office recommends that the Settlement Agreement be accepted in its entirety, the essential terms of which includes an approximate two-month suspension without pay and reinstatement.

Acceptance and approval of the Settlement Agreement, forwarded under separate cover, will obviate the need for further legal action on this matter by the School Board, and is in the best interest of the School Board.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida approve the Settlement Agreement in the case of The School Board of Miami-Dade County, Florida v. Patricia Briceno, DOAH Case No. 09-2584 reinstating Respondent as more specifically outlined in the Settlement Agreement.

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