

Office of Superintendent of Schools
Board Meeting of October 14, 2009

September 30, 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.
DANIEL BRODHEAD - DOAH CASE NO. 08-4815

At its regularly scheduled meeting of September 10, 2008, the School Board took action to suspend Daniel Brodhead, a teacher with the District, for thirty (30) workdays without pay. The charges included gross insubordination, and violations of School Board Rules 6Gx13- 5D-1.07 Corporal Punishment-Prohibited, 6Gx13- 4A-1.21, Responsibilities and Duties, 6Gx13- 4A-1.213, Code of Ethics, and 6Gx13-4.108, Violence in the Workplace. The employee timely requested a hearing on this matter.

The parties have now reached a Settlement Agreement pending Board approval that will resolve all issues involved 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 terms of which include the payment of fifteen (15) days of back-pay to the Respondent.

Acceptance and approval of the Settlement Agreement, forwarded under separate cover, is in the best interests of the School Board and 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 Agreement in the case of The School Board of Miami-Dade County, Florida v. Daniel Brodhead, DOAH Case No. 08-4815, allowing for the payment of fifteen (15) days of back-pay to the Respondent.

G-3