

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

November 24, 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. RUBEN
C. VENTO, DOAH CASE NO. 09-3396**

At its regularly scheduled meeting of May 20, 2009, the School Board took action to suspend and initiate dismissal proceedings against Ruben C. Vento, an electrician with the District. The charges included violations of School Board Rules 6Gx13-4-1.08 *Violence in the Workplace*; 6Gx13-4A-1.21, *Responsibilities and Duties*; and 6Gx13-4A-1.213, *Code of Ethics*. The employee timely requested a hearing on the matter. Subsequently, Respondent filed a notice of claim with the District.

The parties have now reached a Settlement Agreement pending Board approval that will resolve all issues involved in this case. Under the terms of the proposed settlement agreement, Respondent will resign his position. In exchange, Respondent will receive his unused vacation time (approximately thirty-three days) and an additional \$1,000 to resolve his threatened negligence claim. As a result of this settlement, Respondent will withdraw his request for an administrative hearing and release the District from any and all potential claims and liability. Upon consultation with the Superintendent's Office, and with its approval, this office recommends that the Settlement Agreement be accepted in its entirety.

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. Ruben C. Vento, DOAH Case No. 09-3396, allowing for the payment to the Respondent of \$1,000 and Respondent's accumulated annual leave (approximately thirty-three days).

G-1