


MEMORANDUM

February 15, 2012

**TO:** The Honorable Chair and Members of The School Board of Miami-Dade County, Florida

**FROM:** Alberto M. Carvalho, Superintendent of Schools 

**SUBJECT:** THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. STEPHAN GUY - DOAH CASE NO. 11-2084

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At the request of Mr. Walter J. Harvey, School Board Attorney, the attached Agenda Item G-4 is being withdrawn from the February 15, 2012 Agenda for further consideration.

AMC:mm  
M808

Attachment

Cc: School Board Attorney  
Superintendent's Cabinet

Office of Superintendent of Schools  
Board Meeting of February 15, 2012

February 1, 2012

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

**SUBJECT: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. STEPHAN GUY - DOAH CASE NO. 11-2084**

On April 13, 2011, the School Board suspended Stephan Guy and initiated dismissal proceedings against him for just cause, including, but not limited to failure to correct performance deficiencies pursuant to § 1012.34, Fla. Stat. and for incompetency due to inefficiency in accordance with sections 1001.32(2), 1012.22(1)(f), 1012.33(1)(a) and (6)(a), and 447.209, Florida Statutes (2010) and the UTD Contract. A hearing was requested and held on October 20, 2011, before an Administrative Law Judge.

By Recommended Order entered December 30, 2011, the Administrative Law Judge recommended that the School Board enter a final order rescinding his termination.

Exceptions to the Recommended Order were filed by the Superintendent. Those exceptions, along with the Recommended Order and a complete record of the case, will be forwarded to the School Board members under separate cover. The exceptions seek to have the Administrative Law Judge's Recommended Order rejected and thereby sustain Respondent's dismissal from employment.

The School Board Attorney's office and District staff agree with the recommendations.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida take one of the following actions in the case of The School Board of Miami-Dade County, Florida v. Stephan Guy - DOAH Case No. 11-2084

- (1) Adopt the Recommended Order of the Administrative Law Judge in its entirety as its Final Order; or
- (2) Adopt the Exceptions to the Recommended Order filed by the Superintendent and enter a Final Order consistent with those Exceptions.

**WITHDRAWN – 2/15/2012**

**G-4**