

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

SUBJECT: SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. HILDA DIAZ, DOAH Case No. 11-4309

On August 3, 2011, the School Board took action to suspend Respondent Hilda Diaz, a Media Specialist, for twenty (20) workdays without pay for just cause, including but not limited to, gross insubordination and violation of School Board Rule 6Gx13-4A-1.21, Responsibilities and Duties, in accordance with §§ 1022.22(1)(f), 1012.33(1)(a) and (6)(a), and 447.209, Florida Statutes, and State Board of Education Rules 6B-4.009(4), Florida Administrative Code. After discovery was completed, the parties reached a settlement agreement. Pursuant to the proposed settlement, Respondent will receive a lump-sum payment of twenty (20) days pay calculated at the daily rate earned by her during the time period when she served the twenty (20) workday suspension, and a rescission of the suspension.

Acceptance of the agreement will obviate the need for further litigation of this matter. The School Board Attorney recommends approval of the proposed Settlement Agreement as being in the best interests of the School Board. District administration is in agreement with the settlement of this matter. A copy of the Settlement Agreement will be provided to the School Board under separate cover.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, approve the Settlement Agreement in the case of *School Board of Miami-Dade County, Florida v. Hilda Diaz*, DOAH Case No. 11-4309, and thereby authorize payment to Respondent of twenty (20) days pay calculated at the daily rate earned by Respondent during the time period when Respondent served a twenty (20) workday suspension, and a rescission of said suspension.