

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

**SUBJECT: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. DEBORAH SWIRSKY-NUNEZ, DOAH Case No. 10-4143**

On June 16, 2010, the School Board took action to suspend without pay and initiate dismissal proceedings against Respondent, Deborah Swirsky-Nunez, an Instructional Supervisor of ESE with Miami-Dade County Public Schools, for just cause including, but not limited to, Misconduct in Office and violations of School Board Rules 6Gx13-4A-1.21, Responsibilities and Duties and 6Gx13- 4A-1.213, Code of Ethics. The Respondent timely requested an administrative hearing. The final hearing was held before Administrative Law Judge Edward Bauer of the Division of Administrative Hearings ("DOAH") on May 2, 3, 4, 5, 6, August 2, 3, 4, 5, 15, 16, 17, 18, 19, and September 6, 2011.

On May 16, 2012, the Administrative Law Judge issued a Recommended Order recommending that the School Board enter a final order sustaining Respondent's suspension without pay and terminating Respondent's employment with the District.

Exceptions to the Recommended Order were timely filed by the Respondent. Those exceptions, along with the Recommended Order, the Superintendent's Response to Respondent's Exceptions and a complete record of the case, will be forwarded to the School Board members under separate cover. The exceptions seek the rejection of the Administrative Law Judge's Recommended Order and the reinstatement of Respondent to her position as an Instructional Supervisor of ESE with the District.

**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. Deborah Swirsky-Nunez, DOAH Case No. 10-4143:

- (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 Respondent and enter a Final Order consistent with those Exceptions.