

Office of Superintendent of Schools
Board Meeting of June 19, 2013

May 29, 2013

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

SUBJECT: THE SCHOOL BOARD OF MIAMI-DADE COUNTY FLORIDA v. THELMA MOBLEY, DOAH Case No. 12-1852TTS

On May 16, 2012, the School Board took action to suspend Thelma Mobley, an Exceptional Student Education Teacher with Miami-Dade County Public Schools, for thirty (30) work days without pay for just cause including, but not limited to, misconduct in office and violation of School Board Policies 3210, Standards of Ethical Conduct and 3210.01, Code of Ethics. Ms. Mobley requested an administrative hearing. On December 3, 2012, a hearing was held before Administrative Law Judge Cathy M. Sellers ("ALJ").

In her Recommended Order, the ALJ, based upon the preponderance of the evidence and the credibility of the witnesses, concluded that Respondent did not violate School Board Policies. Accordingly, by Recommended Order entered April 17, 2013, the ALJ recommended that the School Board enter a Final Order rescinding Respondent's thirty (30) work day suspension and issue backpay to the Respondent for the period of her suspension.

We recommend acceptance of the ALJ's Recommended Order as the School Board's Final Order. Administration is in agreement with this recommendation. A copy of the recommended Order is being furnished to the Board under separate cover with a copy of the proposed Final Order for the Board's consideration..

RECOMMENDED: That The School Board of Miami-Dade County, Florida enter a Final Order accepting the Administrative Law Judge's Recommended Order as its Final order in the case of The School Board of Miami-Dade County, Florida v. Thelma Mobley, DOAH Case No. 12-1852TTS rescinding the suspension of Respondent and issuing the Respondent back-pay for the period of the suspension.

G-1