

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

SUBJECT: SETTLEMENT AGREEMENTS: MIAMI-DADE COUNTY SCHOOL BOARD v. MARGARETTE PIERRE-LOUIS, DOAH Case No. 15-0976; MIAMI-DADE COUNTY SCHOOL BOARD v. JOSEPH CHIU, DOAH Case No. 15-1531; MIAMI-DADE COUNTY SCHOOL BOARD v. MARIA G. ALONSO, DOAH Case No. 15-1769TTS

This item is presented for the Board to consider the approval of proposed settlement agreements in the following cases:

a) **MIAMI-DADE COUNTY SCHOOL BOARD v. MARGARETTE PIERRE-LOUIS, DOAH Case No. 15-0976**

On January 14, 2015, the School Board took action to suspend Respondent, Margarete Pierre-Louis, a bus driver, for thirty (30) days without pay for violations of School Board Policies 4210, *Standards of Ethical Conduct*; 4210.01, *Code of Ethics*; and 8600, *Transportation, Safe Driver Plan*. This action was taken by the District after Respondent drove a school bus with a suspended driver's license. Respondent timely requested an administratively hearing to contest her suspension.

Subsequently, the District received information indicating that the Florida Department of Highway Safety and Motor Vehicles had erroneously suspended Ms. Pierre-Louis's driver license. As a result of this determination, the parties have now reached a tentative settlement agreement that will obviate the need for any further legal action in this case. The essential terms of the Settlement Agreement provides that Respondent's suspension be rescinded and that she be awarded back pay for the period of her suspension.

b) **MIAMI-DADE COUNTY SCHOOL BOARD v. JOSEPH CHIU, DOAH Case No. 15-1531**

On January 14, 2015, the School Board took action to suspend Respondent, Joseph Chiu, an ERP Analyst, without pay and initiate dismissal proceedings against him for just cause including, but not limited to, misconduct in office and violation of School Board Policies 1210, *Standards of Ethical Conduct*; 1210.01, *Code of Ethics*; and 1121.01, *Employment Standards and Fingerprinting*. These charges arose from Respondent's arrest for a disqualifying offense under section 435.06, Florida Statutes.

The charges that led to Respondent's suspension have now been resolved in accordance with section 435.06, Florida Statutes. Accordingly, the parties have entered into a tentative settlement agreement that provides for Respondent's reinstatement without back-pay.

c) **MIAMI-DADE COUNTY SCHOOL BOARD v. MARIA G. ALONSO, DOAH Case No. 15-1769TTS**

On March 18, 2015, the School Board took action to suspend Respondent, Maria G. Alonso, an elementary school teacher, without pay and initiated dismissal proceedings against her for just cause including, but not limited to, misconduct in office and violations of School Board Policies 3210, *Standards of Ethical Conduct*, 3210.01, *Code of Ethics*, 3213, *Student Supervision and Welfare*, and 3121.01 *Employment Standards and Fingerprinting of All Employees*. These charges arose from Respondent's arrest for a disqualifying offense under section 435.06, Florida Statutes.

The charges that led to Respondent's recommended dismissal have now been resolved in accordance with section 435.06, Florida Statutes. Accordingly, the parties have entered into a tentative settlement agreement that provides for Respondent's reinstatement without back-pay.

A copy of the referenced settlement agreements will be provided to the School Board under separate cover.

Administration is in agreement with the disposition of these matters in the manner indicated herein. Acceptance of the proposed settlement agreements is in the best interests of the School Board.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, approve the proposed Settlement Agreement in the following cases:

- a) Miami-Dade County School Board, Florida v. Margarete Pierre-Louis, DOAH Case No. 15-0976, rescinding Respondent's thirty (30) day suspension and awarding her back pay for the time of her suspension;
- b) Miami-Dade County School Board, Florida v. Joseph Chiu, DOAH Case No. 15-1531, suspending Respondent without pay for the period of his suspension already served and reinstating him to his position as an ERP Analyst with the School Board, under the conditions specified in the settlement agreement; and
- c) Miami-Dade County School Board, Florida v. Maria G. Alonso, DOAH Case No. 15-1769TTS, suspending Respondent without pay for the period of her suspension already served and reinstating her to her position as a school teacher with the School Board, under the conditions specified in the settlement agreement.