

Office of Superintendent of Schools  
Board Meeting of May 11, 2016

April 27, 2016

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

**SUBJECT: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. VERNARD M. WHITLEY - DOAH CASE NO. 15-6759TTS**

On November 18, 2015, the School Board took action to suspend Vernard M. Whitley ("Respondent") without pay and to initiate dismissal proceedings against him for just cause, including, but not limited to: misconduct in office, and violation of School Board Policies 4210, *Standards of Ethical Conduct*, 4210.01, *Code of Ethics*, 4213, *Student Supervision and Welfare*, and 5630, *Corporal Punishment and Use of Reasonable Force*. Respondent timely requested an administrative hearing which was held on February 16, 2016, before Administrative Law Judge, Cathy M. Sellers, of the Division of Administrative Hearings ("DOAH").

On April 7, 2016, the Administrative Law Judge ("ALJ") issued his Recommended Order, recommending that the School Board dismiss the charges against Respondent, reinstate Respondent to his employment as a school security monitor, and award him back pay for the period of his suspension.

We recommend that the School Board accept 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 along with a copy of the proposed Final Order for the Board's consideration.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, adopt the Recommended Order of the Administrative Law Judge in its entirety as its Final Order in the case of The School Board of Miami-Dade County, Florida v. Vernard Whitley, DOAH Case No. 15-6759TTS, thereby dismissing the charges against Respondent and reinstating Respondent's employment as a security monitor, and award Respondent back pay for the period of his suspension.

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