

Office of Superintendent of Schools
Board Meeting of April 5, 2017

March 22, 2017

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

SUBJECT: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. SAMUEL PAYNE, DOAH CASE NO. 16-7150TTS

On November 23, 2016, the School Board suspended Samuel Payne without pay and initiated dismissal proceedings against him for just cause, including, but not limited to: gross insubordination, misconduct in office, and violation of School Board Policies 3210 – *Standards of Ethical Conduct* and 3210.01 – *Code of Ethics* in accordance with §§ 1001.32(2), 1012.22(1)(f), 1012.33; 447.209, Fla. Stat.; and State Board Rules 6A-5.056, 6A-10.080, and 6A-10.081, FAC. After the Respondent timely requested a hearing, but before the evidentiary hearing took place, Respondent tendered his letter of resignation on March 14, 2017.

Upon consultation with administration, it is recommended that the resignation be accepted as achieving the objective sought by the School Board in this case. Acceptance of the resignation does not alter the following effects of the employment termination:

1. Prevention of future employment in any capacity by Miami-Dade County Public Schools;
2. Retention of the information regarding the dismissal action by the Superintendent of Schools as a matter of official record; and
3. Non-entitlement to accrued sick leave, if any.

Acceptance of the resignation, forwarded under separate cover, will obviate the requirement for further legal actions by the School Board.

RECOMMENDED: That The School Board of Miami-Dade County, Florida accept the resignation of Samuel Payne effective as of March 14, 2017.

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