

Office of Superintendent of Schools  
Board Meeting of August 9, 2017

July 27, 2017

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

**SUBJECT: MIAMI-DADE COUNTY SCHOOL BOARD v. DANIEL GARCIA,  
DOAH Case No. 17-3230TTS**

On May 24, 2017, the School Board took action to suspend without pay and initiate dismissal proceedings against Respondent Daniel Garcia ("Respondent"), a teacher, for just cause, including but not limited to misconduct in office and violation of School Board Policies 3210, *Standards of Ethical Conduct*; 3210.01, *Code of Ethics*; and 3121.01, *Employment Standards and Fingerprinting* in accordance with Fla. Stat. §§ 1001.32(2), 1012.22(1)(f), 1012.32, 1012.33, 435.04, 435.06 and 447.209, and State Board Rules 6A-5.056 and 6A-10.081, FAC.

The charges that led to Respondent's suspension have now been resolved in accordance with Fla. Stat. § 435.06. Accordingly, the parties have entered into a tentative Settlement Agreement that provides for Respondent's reinstatement without back-pay. A copy of the Settlement Agreement will be provided to the School Board under separate cover.

Administration is in agreement with the disposition of this matter in the manner indicated herein. Acceptance of the proposed Settlement Agreement 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 case of Miami-Dade County School Board v. Daniel Garcia, DOAH Case No. 17-3230TTS, suspending Respondent without pay for the period of his suspension already served and reinstating him to his position as a teacher with the School Board, under the conditions specified in the Settlement Agreement.

**G-2**