

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

SUBJECT: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. KAMLA C. BHAGWANDIN and DARLENE G. TAYLOR, DOAH Case Nos. 17-6427TTS and 17-6470TTS

On August 31, 2017 Respondents were arrested on charges of battery on an autistic student at South Dade Middle School. On November 15, 2017, the School Board suspended Respondents Kamla C. Bhagwandin and Darlene G. Taylor, a teacher and a paraprofessional respectively, without pay and initiated dismissal proceedings against them for just cause based on: Misconduct in office and violation of School Board Policies 3210, *Standards of Ethical Conduct* and 3210.01, *Code of Ethics*, 3121.01, *Employment Standards and Fingerprinting of all Employees*, 5630, *Corporal Punishment and Use of Reasonable Force*. These cases arose out of the same set of facts that led to Respondents' arrest and subsequent criminal prosecution. The two employees' disciplinary cases were later consolidated into a single matter.

Prior to the administrative hearing, a jury trial on the criminal charges was held in January of 2018, which resulted in the acquittals of both Respondents of all charges. The final administrative hearing in the employee disciplinary matter was held on February 19, 2018, before Administrative Law Judge ("ALJ"), John G. Van Laningham, of the Division of Administrative Hearings ("DOAH"). On June 28, 2018, the ALJ issued his Recommended Order, recommending that the School Board reinstate the Respondents' employment and award them back pay and accumulated benefits since their 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 consolidated case known as *The School Board of Miami-Dade County, Florida v. Kamla Bhagwandin and Darlene G. Taylor*, DOAH Case Nos. 17-6427TTS and 17-6470TTS, and awarding Respondents back pay and accumulated benefits since their suspension.