

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

**SUBJECT: MIAMI-DADE COUNTY SCHOOL BOARD v. HALAINE A. JAMES,
DOAH Case No. 20-5134TTS**

On November 18, 2020, the School Board took action to suspend Respondent, Halaine James without pay for just cause, including but not limited to misconduct in office; violation of School Board Policies 3210, *Standards of Ethical Conduct*, 3210.01, *Code of Ethics*, and 3213, *Student Supervision and Welfare*, in accordance with §1001.32(2), 1012.22(1)(f), 1012.33, 447.209, Fla. Stat., and State Board Rules 6A-5.056 and 6A-10.081, FAC. Respondent timely requested an administrative hearing, which was held on January 14, 2021, before Administrative Law (“ALJ”) Judge Robert Cohen of the Division of Administrative Hearings (“DOAH”).

On April 1, 2021, the ALJ issued his Recommended Order. While the ALJ determined that Respondent’s inappropriate comments to one of her students constituted Misconduct in Office and found that there was just cause for disciplining the Respondent, the ALJ concluded that—due to mitigating actors—the Respondent should only be issued a reprimand. Accordingly, the ALJ recommended that the School Board enter a Final Order issuing a reprimand to Respondent and awarding her back pay for ten (10) workdays.

We recommend that the School Board accept the ALJ’s Recommended Order as its Final Order, issue a reprimand to Respondent, and award her backpay for ten (10) workdays. Administration is in agreement with this recommendation. A copy of the Recommended Order is being furnished to the Board under separate cover 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 Miami-Dade County School Board v. Halaine A. James, DOAH Case No. 20-5134TTS, issue Respondent a reprimand, and award her back pay for ten (10) workdays.