

Office of the General Counsel
Walter J. Harvey, General Counsel

**SUBJECT: MIAMI-DADE COUNTY SCHOOL BOARD v. DUBRASKA GUEVARA
DOAH Case No. 21-2629TTS**

On August 18, 2021, the School Board took action to suspend Respondent, Dubraska Guevara, a Police Sergeant, without pay and initiated dismissal proceedings against her for just cause, including but not limited to conduct unbecoming an officer; violation of Miami-Dade Schools Police Department (MDSPD) Standard Operating Procedures and School Board Policies 3210, Standards of Ethical Conduct, and 3210.01, Code of Ethics. Respondent timely requested an administrative hearing, which was held on January 11 and 12, 2022 before Administrative Law Judge (“ALJ”), Robert S. Cohen, of the Division of Administrative Hearings (“DOAH”).

The Administrative Law Judge issued his Recommended Order on May 4, 2022. The ALJ determined that there was just cause for discipline, but recommended that the School Board enter a Final Order reinstating Respondent, and issuing a suspension for thirty (30) days without pay and ordering her to undergo drug and alcohol counseling. Exceptions to the Recommended Order were timely filed by the Superintendent. After the filing of Exceptions, the parties were able to negotiate an amicable resolution to this matter and have now reached a tentative Settlement Agreement, which will obviate the need for further action by the Board and forestall additional litigation in this matter.

The essential terms of the Settlement Agreement (submitted to the Board under separate cover) provides that based on the ALJ’s Recommended Order, the Respondent will be reinstated to her employment as a Police Sergeant as of August 18, 2021. In accordance with the proposed agreement, Respondent will receive twelve (12) months of back pay. In consideration for the forgoing stipulations by the Board, Respondent will resign from her employment with the school district, effective as of December 15, 2022. Respondent’s resignation will be irrevocable upon the Board’s acceptance of the Settlement Agreement and Respondent will be precluded from any future employment with the District.

Acceptance of the proposed Settlement Agreement is in the best interests of the School Board.

Administration is in agreement with the settlement of this matter in the manner indicated herein.

RECOMMENDED: That the School Board of Miami-Dade County, Florida approve the proposed Settlement Agreement in the case of The School Board of Miami-Dade County, Florida v. Dubraska Guevara, DOAH Case No. 21-2629TTS, reinstating Respondent to her position as a Police Sergeant, issuing Respondent twelve (12) months of back-pay in accordance with the Settlement Agreement, and accepting Respondent’s resignation from her employment with the School Board effective as of December 15, 2022.