

**MEMORANDUM**

February 13, 2023

**TO:** The Honorable Chair and Members of The School Board of Miami-Dade County, Florida

**FROM:** Dr. Jose L. Dotres, Superintendent of Schools 

**SUBJECT: WITHDRAWAL OF AGENDA ITEM G-5: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. YEWANDE SMITH, DOAH Case No. 21-2670**

At the request of Mr. Walter J. Harvey, General Counsel, the attached Agenda Item G-5 is being withdrawn from the February 15, 2023, Agenda. The Respondent has requested that the hearing be postponed, and the General Counsel's Office and the Office of Human Capital do not object to the request.

If you require additional information, please contact Mr. Walter J. Harvey, General Counsel, at 305 995-1304.

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Attachment

cc: General Counsel  
Superintendent's Cabinet

Office of Superintendent of Schools  
Board Meeting of February 15, 2023

February 13, 2023

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

**SUBJECT: MIAMI-DADE COUNTY SCHOOL BOARD v. YEWANDE SMITH**  
**DOAH Case No. 21-2670**

On August 18, 2021, the School Board took action to demote Respondent for just cause, including but not limited to failure to complete assigned tasks, non-performance and deficient performance concerning her job duties and responsibilities; violation of departmental procedures and School Board Policies 4210, *Standards of Ethical Conduct*; and 4210.01, *Code of Ethics* in accordance with §§ 1001.32(2), 1012.22(1)(f), and 447.209, Fla. Stat.

The Administrative Law Judge issued his Recommended Order on August 19, 2022. The Judge recommended that the School Board enter a Final Order upholding the demotion of Respondent.

Exceptions to the Recommended Order were timely filed by the Respondent. The Exceptions, along with the Recommended Order, the Superintendent's Response to Respondent's Exceptions and a complete record of the case, will be forwarded to the School Board under separate cover. The Superintendent's Response seeks to adopt the Recommended Order of the ALJ as the Final Order of the School Board.

**RECOMMENDED:** That the School Board of Miami-Dade County, Florida adopt the Recommended Order of the Administrative Law Judge and enter its Final Order in the case of The School Board of Miami-Dade County, Florida v. Yewande Smith, DOAH Case No. 21-2670, upholding Respondent's demotion.

OR

That the School Board of Miami-Dade County, Florida adopt the Respondent's Exceptions to the Recommended Order in the case of The School Board of Miami-Dade County, Florida v. Yewande Smith, DOAH Case No. 21-2670, rejecting the demotion and reinstate the Respondent to the prior position with the District.

**WITHDRAWN (2/10/2023)**

**G-5**