

Office of Superintendent of Schools
Board Meeting of October 11, 2023

September 27, 2023

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

SUBJECT: MIAMI-DADE COUNTY SCHOOL BOARD v. FABIOLA C. ANDRE
DOAH Case No. 23-002029TTS

On May 17, 2023, the School Board took action to suspend Respondent, Fabiola C. Andre, without pay for ten (10) workdays for Misconduct in Office and 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, 102.67 and 447.209, Florida Statutes. The basis for the recommended disciplinary action resulted from Respondent improperly physically disciplining students. Respondent timely requested an administrative hearing before the Division of Administrative Hearings (“DOAH”).

Prior to the hearing, the parties reached a proposed settlement of the matter. The proposed settlement provides that the Respondent shall accept a five (5) day suspension without pay and will be issued backpay for five (5) workdays. The settlement of this matter obviates the need for further litigation and is in the best interests of the Board. Administration is in agreement with the proposed settlement. A copy of the Settlement Agreement will be provided to the Board under separate cover.

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. Fabiola C. Andre, DOAH Case No. 23-002029TTS, suspending Respondent for five (5) workdays and issuing her backpay for five (5) workdays.

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