

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

**SUBJECT: MIAMI-DADE COUNTY SCHOOL BOARD v. DUVIER MORALES**  
**DOAH Case No. 22-1243**

On April 13, 2022, the School Board took action to suspend Respondent without pay and initiate dismissal proceedings against Respondent for just cause, including but not limited to Misconduct in Office, gross insubordination, excessive absenteeism and violation of School Board Policies 4210, *Standards of Ethical Conduct*, 4210.01, *Code of Ethics*, and 4430, *Leaves of Absence*, in accordance with §§ 1001.32(2), 1012.22(1)(f), 1012.32, 1012.67, 447.209, Florida Statutes, and State Board Rules 6A-5.056 and 6A-10.081, F.A.C. Respondent timely requested an administrative hearing, which was held on November 4, 2022, before Administrative Law Judge (“ALJ”), Cathy Sellers, of the Division of Administrative Hearings (“DOAH”). The basis for the recommended disciplinary action resulted from Respondent’s repeated excessive absenteeism over a two year period.

The ALJ issued her Recommended Order on February 9, 2023. In her Recommended Order, the ALJ recommended that the School Board enter a Final Order suspending Respondent without pay for the period beginning on April 13, 2022, through the date on which the Board takes final action in Respondent’s case and reinstating Respondent to his position as a paraprofessional upon the completion of his suspension. } Revised

The Board’s General Counsel recommends that the School Board accept the 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 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 The School Board of Miami-Dade County, Florida v. Duvier Morales, DOAH Case No. 22-1243, reinstating the Respondent to his position as a paraprofessional as of April 20, 2023 and sustaining his suspension without pay for the period beginning on April 13, 2022 through April 19, 2023. } Revised

**Revised**  
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