Office of the Superintendent
Board Meeting of November 18, 2026

November 4, 2026

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

SUBJECT: **MIAMI-DADE COUNTY SCHOOL BOARD v. RUTH GUTIERREZ DOAH Case No. 26-0085TTS**

COMMITTEE: *[Click to Select Committee]*

ALIGNMENT: **OPERATIONAL IMPACT**

INDICATOR:
(If Strategic Impact) **N/A**

DECISION MATRIX:
(If Strategic Impact) **N/A**

DECISION MATRIX JUSTIFICATION: **N/A**
(If Strategic Impact)

N/A

G-3

BODY OF ITEM:

On December 17, 2025, the School Board took action to suspend Respondent, Ruth Gutierrez, without pay for ten (10) workdays for just cause, including but not limited to Misconduct in Office, Gross Insubordination, 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 and 447.209, Florida Statutes and State Board Rules § 6A-5.056 and 6A-10.081, F.A.C. The recommended discipline resulted from Respondent having directed inappropriate statements to a student in her class regarding his national origin.

Respondent timely requested an administrative hearing, which was held on April 28, 2026, before Administrative Law Judge ("ALJ"), Brittany O. Finkbeiner, of the Division of Administrative Hearings ("DOAH"). On August 25, 2026, the Administrative Law Judge "ALJ") issued her Recommended Order. Based on the evidence and the testimony, the ALJ recommended that the School Board enter a Final Order sustaining Respondent's ten (10) workday suspension.

We recommend that the School Board accept the Recommended Order as the School Board's Final Order. A copy of the Recommended Order is being furnished to the Board under separate cover along with a copy of the proposed Final Order for the Board's consideration.

RECOMMENDED / ACTION PROPOSED BY:

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. Ruth Gutierrez, DOAH Case No. 26-0085TTS sustaining a ten (10) workday suspension without pay.