

Office of Superintendent of Schools
Special Board Meeting of March 31, 2020

March 27, 2020

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

SUBJECT: MIAMI-DADE COUNTY SCHOOL BOARD v. JOSE A. PALOMINO,
DOAH Case No. 18-6502

On November 20, 2018, the School Board took action to suspend without pay and initiate dismissal proceedings against Respondent Jose A. Palomino ("Respondent"), a Security Specialist at Lindsey Hopkins Technical College, for just cause, including but not limited to misconduct in office and violation of School Board Policies 4121.01, Employment Standards and Fingerprinting of All Employees; 4210, Standards of Ethical Conduct; and 4210.01, Code of Ethics. *Standards of Ethical Conduct*, 4210.01, *Code of Ethics*, *Employment Standards and Fingerprinting* in accordance with §§ 1001.32(2), 1012.22(1)(f), 1012.32, 1012.40, 435.04, 435.06 and 447.209, Florida Statutes.

The charges that led to Respondent's suspension have now been resolved in accordance with Fla. Stat. § 435.06, as any pending court matters are closed in favor of the employee through the entry of a nolle prosequi. Accordingly, the parties have entered into a tentative Settlement Agreement that provides for Respondent's reinstatement without back-pay. A copy of the Settlement Agreement will be provided to the School Board under separate cover.

Administration is in agreement with the disposition of this matter in the manner indicated herein. Acceptance of the proposed Settlement Agreement is in the best interests of the School Board.

RECOMMENDED: That The School Board of Miami-Dade County, Florida approve the proposed Settlement Agreement in the case of Miami-Dade County School Board v. Jose A. Palomino, DOAH Case No. 18-6502, suspending Respondent without pay for the period of his suspension already served and reinstating him to his position as a Security Specialist with the School Board under the conditions specified in the Settlement Agreement.

SP-5