

FILED
02 SEP 13 AM 11:13

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

BERNICE LAMAR MILES,

Appellant,

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

v.

CASE NO. 1D01-4793

NASSAU COUNTY SCHOOL
BOARD,

01-0001

Appellee.

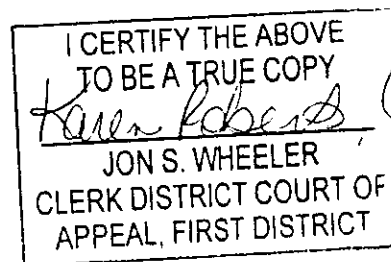
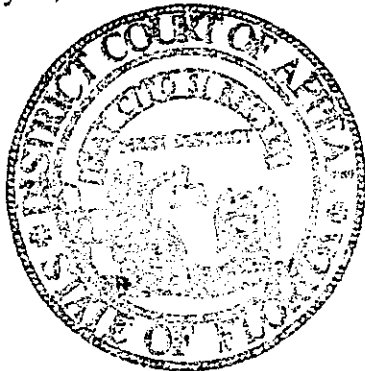
PMR-Closed

Opinion filed August 12, 2002.

An appeal from an order of the Division of Administrative Hearings.

Mary F. Aspros of Meyer and Brooks, P.A., Tallahassee, for Appellant.

Brian T. Hayes, Monticello, for Appellee.



WOLF, J.

Bernard Miles, a teacher formerly employed by the Nassau County School Board, appeals from a final administrative order of the board terminating appellant's

contract with the school board. The termination was based on alleged inappropriate touching of students by Mr. Miles. The board rejected the findings of fact by the administrative law judge (ALJ) that no inappropriate touching had occurred. The ALJ stated a number of reasons for rejecting the allegations of the alleged victims. The ALJ's determinations were based on competent substantial evidence. We, therefore, reverse the order of the school board and remand for the teacher's reinstatement. See MacMillan v. Nassau County School Board, 629 So. 2d 226 (Fla. 1st DCA 1993).

ERVIN and PADOVANO, JJ., CONCUR.