

8-24-01

STATE OF FLORIDA
BEFORE THE
SCHOOL BOARD OF PALM BEACH COUNTY

FILED
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DIVISION OF
ADMINISTRATIVE
HEARINGS

AT

PALM BEACH COUNTY
SCHOOL BOARD,
Petitioner,

DOAH CASE NO. 01-1307

JUL-CWS

vs.

CASSANDRA DICKERSON,
Respondent

FINAL ORDER

THIS MATTER, came to be heard by the SCHOOL BOARD OF PALM BEACH COUNTY, Florida, for the purpose of adopting the Final Order in connection with the above-styled cause. In consideration of the recommendation of the Superintendent and the Division of Administrative Hearings' ("DOAH") Administrative Law Judge, and the attached Recommended Order, Exhibit A, the SCHOOL BOARD finds as follows:

BACKGROUND

At the times pertinent to this proceeding, Respondent was employed by the Petitioner as an Assistant Paraprofessional I. The School Board, acting on the recommendation of the Superintendent voted on March 28, 2001 to suspend Respondent's employment without pay

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effective March 29, 2001, and to terminate her employment effective upon the expiration of fifteen (15) days thereafter. The School Board alleged that Respondent failed to satisfactorily correct her performance deficiencies sufficiently to warrant an acceptable evaluation at the end of her "Performance Probation" pursuant to Sections 233.33(7)(e), 230.23(5)(f), Florida Statutes and Article III, Section B4, of the Collective Bargaining Agreement between the Association of Educational Secretaries and Office Professionals(AESOP) and the School District of Palm Beach County, Florida. On or about February 5, 2001, Respondent was evaluated, advised of performance deficiencies, rated as unsatisfactory and placed on a thirty (30) calendar day assistance plan for improvement. Respondent was given timely feedback, assistance and specific recommendations for improvement in all areas cited as deficient. Respondent's deficiencies included: Self Motivation - Builds on Strengths and Works on Deficiencies; Adaptability to Change - Possesses the ability to react to and compensate for necessary changes in operations; Interpersonal Effectiveness - maintains effective working relationships with others, handles conflict well, presents ideas effectively; Written and/Oral Assignments - follows directions easily and effectively. At the conclusion of Respondent's thirty (30) calendar day assistance plan on or about March 12, 2001, Respondent was evaluated and her deficiencies remained. Respondent having failed to correct her deficiencies, was rated unsatisfactory on March 12, 2001. Respondent's performance having continued to be unsatisfactory, the Superintendent recommended termination. Respondent timely requested an administrative hearing, the matter was referred to the Division of Administrative Hearings, and this proceeding followed.

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At the formal hearing on June 7, 2001 before Administrative Law Judge John G. Van Laningham, the Petitioner presented the testimony of four (4) witnesses: Respondent did not appear.

FINDINGS OF FACT

1. **PALM BEACH COUNTY SCHOOL BOARD**, Florida, finds that the Administrative Law Judge's Findings of Fact are supported by competent substantial evidence in the record as a whole and that the proceedings upon which the Findings of Fact are based complied with the essential requirements of law.
2. Respondent has not filed exceptions to the Findings of Fact as set forth in the Recommended Order issued by the Administrative Law Judge, pursuant to Chapter 120.57, Florida Statutes.

THE SCHOOL BOARD hereby adopts the Administrative Law Judge's Findings of Fact as prescribed in Section 120.57(1)(j) Florida Statutes.

CONCLUSIONS OF LAW

1. **SCHOOL BOARD OF PALM BEACH COUNTY**, Florida, has jurisdiction over the subject matter and the parties hereto.
2. **SCHOOL BOARD** finds that the Administrative Law Judge's Conclusions of Law are correct as a matter of law and that the proceedings upon which the Conclusions of Law are based complied with the essential requirements of the law.

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3. Respondent has not filed exceptions to the recommended Conclusions of Law set forth in the Recommended Order issued by the Administrative Law Judge, pursuant to Section 120.57, Florida Statutes.

THE SCHOOL BOARD hereby adopts the Administrative Law Judge's Conclusions of Law as prescribed in Section 120.57(1)(j) Florida Statutes.

IT IS THEREFORE ORDERED AND ADJUDGED that the Administrative Law Judge's Recommended Order be adopted and incorporated by reference into this Final Order of the School Board. The employment of the Respondent, Cassandra Dickerson, is hereby terminated effective March 29, 2001. An appeal of this order must be made pursuant to Section 120.68, Florida Statute, by filing a Notice of Appeal with the **SCHOOL BOARD** and the Fourth District Court of Appeals within thirty (30) days of the date of this order.


DONE AND ORDERED, this 19th day of September, 2001.

SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA

BY:

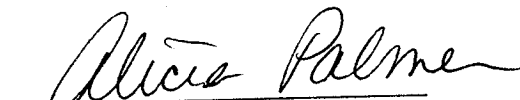

Thomas Lynch, Chairman

Attest:


Arthur C. Johnson, Secretary

(SEAL)

Filed with the Clerk of the School Board
this 25th day of September, 2001.


Alicia Palmer, Clerk

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COPIES FURNISHED:

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