

3-4-04

STATE OF FLORIDA
DEPARTMENT OF EDUCATION

FILED AGENCY CLERK

2004 MAR 17 P 3:22

MARIA GUERRERO,)
)
Petitioner,)
)
vs.)
)
DEPARTMENT OF EDUCATION,)
)
Respondent.)
_____)

DEPT OF EDUCATION
TALLAHASSEE FLA

AT

DOE Agency Case No. 2003-916-~~FOI~~
DOAH Case No. 03-3569

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FINAL ORDER

After review of the entire record of this case, the Department of Education hereby enters this Final Order as required by Sections 120.569 and 120.57(1), Florida Statutes.

ADOPTION OF RECOMMENDED ORDER

The recommended order of Administrative Law Judge Patricia Malono, issued on March 4, 2004, is hereby adopted and incorporated by reference.

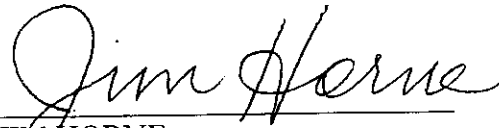
DISPOSITION

Based upon the foregoing Findings of Fact and Conclusions of Law in the referenced Recommended Order, it is hereby ORDERED AND ADJUDGED that:

By writing the test questions on her test ticket, Petitioner failed to follow testing procedures on the essay subtest portion of the Teacher's General Knowledge Test administered July 26, 2003. This violated Department of Education policies on cheating. Therefore, Petitioner's essay portion of the Teacher Certification exam taken July 26, 2003, will be invalidated.

This order becomes effective upon filing with the Agency Clerk of the Department of Education, subject to the Notice of Rights attached hereto and incorporated herein by reference.

DONE AND ENTERED this 17th day of March, 2004, Tallahassee,
Leon County, Florida.

A handwritten signature in cursive script that reads "Jim Horne". The signature is written in black ink and is positioned above a horizontal line.

JIM HORNE

Commissioner

Florida Department of Education

Room 1514, Turlington Building

325 W. Gaines Street

Tallahassee, Florida 32399-0400

COPIES FURNISHED TO:

Maria Guerrero, Pro Se.
80 East 18th Street
Hialeah, Florida 33010

Florida Administrative Law Reports

Clerk
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399

Daniel Woodring, General Counsel
Department of Education
1244 Turlington Building
325 West Gaines Street
Tallahassee, FL 32399-0400

Notice of Rights

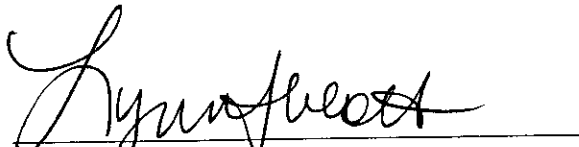
Pursuant to Section 120.68(2), Florida Statutes, and Florida Rule of Appellate Procedure, 9.110(b) and (c), Petitioner is advised that within 30 days of the date of this Final Order she may seek judicial review of this Final Order by filing a Notice of Appeal with the Agency Clerk, Department of Education, Suite 1514 Florida Education Center, 325 West Gaines Street, Tallahassee, Florida 32399-0400, and by filing a second copy of such Notice of Appeal with the appropriate filing fee with the Clerk of the District Court of Appeal, First District, 300 Martin Luther King, Jr., Boulevard, Tallahassee, Florida, 32399-1850, or with the Clerk of the District Court where the Petitioner Resides.

Certificate of Service

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order in the matter of Maria Guerrero v. Department of Education, DOE Case No. 03-916, DOAH Case No. 03-3569, has been furnished by U.S. Mail to:

Maria Guerrero
80 East 18th Street
Hialeah, Florida 33010

this 19th day of March, 2004.



Agency Clerk