

10-7-04

FILED

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

2004 DEC 20 P 12:20

PINELLAS COUNTY SCHOOL BOARD,

Petitioner

AT

DOAH CASE NO. 04-1632

vs.

LINCOLN M. LOUCKS,

FSR-CLWS

Respondent.

FINAL ORDER

THIS CAUSE was considered by the School Board of Pinellas County, Florida, at its regular meeting held at 5:00 p.m. on December 14, 2004, and the Board, having received and reviewed the record and the recommended order of the Administrative Law Judge, Florence S. Rivas, and the exceptions filed by the Respondent and the response to those exceptions filed by the Superintendent, and having heard argument from counsel for the Respondent and the Superintendent, and being fully advised in the premises,

THEREFORE, determines that the Respondent's misconduct warrants the recommended penalty of termination.

IT IS THEREUPON ORDERED by the School Board of Pinellas County, Florida, that:

1. The Respondent's exceptions to the recommended penalty are denied.
2. The recommended order dated October 7, 2004, to terminate the employment of the Respondent, a copy of which is attached hereto and incorporated by reference, be, and the same is hereby adopted as the Final Order of the School Board.

3. The Respondent, Lincoln M. Loucks, is hereby dismissed and terminated as an employee of the School Board of Pinellas County, Florida, effective the end of the workday, December 14, 2004.

DONE AND ORDERED this 14th day of December, 2004.

THE SCHOOL BOARD OF PINELLAS COUNTY,
FLORIDA

By: Nancy Bastock
Chairman

Attest: Wayne M. Wilcox
Ex Officio Secretary

This Final Order was filed with me on this 14 day of December, 2004, and a conformed copy of the same was furnished to Thomas L. Wittmer, attorney for the Petitioner, on said date by hand-delivery, and to Mark Herdman, attorney for the Respondent, on said date by regular U.S. Mail, postage prepaid.

Deborah E. Beaty
Deborah Beaty
Clerk of the Board

NOTICE

All parties have the right of judicial review of this Final Order in accordance with section 120.68, Florida Statutes. In order to appeal, a party must file a notice of appeal with Deborah Beaty, the Clerk of the School Board, 301 4th Street S.W., Largo, FL 33770, within thirty (30) days of the rendition of this order (which occurred on the date such Final Order was filed with the clerk as set forth above), and must also file a copy of the notice, accompanied by filing fees, with the Clerk of the Second District Court of Appeal, 1005 East Memorial Blvd., Lakeland, FL 33801, tel. (863) 499-2290. Review proceedings shall be conducted in accordance with the Florida Appellate Rules, and specifically, Rule 9.110 of such Florida Appellate Rules.