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STATE OF FLORIDA

CRIMINAL JUSTICE STANDARDS & TRAINING COMMISSION

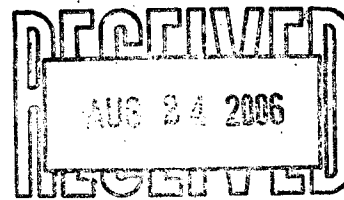
JENNY LANCETT,

Petitioner,

v.

DEPARTMENT OF LAW
ENFORCEMENT,
CRIMINAL JUSTICE STANDARDS
AND TRAINING COMMISSION,

Respondent.



DOAH Case Nos. 05-04544
06-0325

FINAL ORDER

I. Statement of the Issue

Whether the Petitioner, Jenny Lancett, should receive credit for her answers to certain examination questions on the State Officer Certification Examination (SOCE) for law enforcement administered October 26, 2005.

II. Statement of Facts

The Petitioner took the SOCE for the third time on September 21, 2005. She was notified in writing that she had failed the examination for the third time and would be required to re-enter basic recruit training and successfully complete the entire basic recruit program before being allowed to take the SOCE again. The Petitioner requested a review of her September 21, 2005, SOCE. The Petitioner reviewed her examination responses on November 7, 2005. Petitioner reviewed her July 27, 2005, examination results on September 6, 2005. At the reviews, the

Petitioner wrote the reasons that she believed entitled her to credit for questions. The Petitioner wrote these reasons sheets of paper provided by the Criminal Justice Standards and Training Commission (CJSTC). The Petitioner's reasons for believing that she should be granted credit for these questions were reviewed by subject matter experts (SME) in the Petitioner's field of law enforcement. On each of these questions save one, the SMEs denied the Petitioner credit for her responses. Upon receipt of notification that she would not receive credit for the responses to the September 21, 2005, examination, the Petitioner formally requested a hearing to challenge the CJSTC's denial of credit for her responses to the twelve examination questions on the SOCE. This request for a hearing was made on December 12, 2005. Respondent forwarded the request to DOAH on December 14, 2005. Respondent requested a formal hearing for denial of credit for an additional twelve responses from the July 27, 2005, examination, on January 17, 2005. The CJSTC sent a request for assignment of Administrative Law Judge to DOAH on January 26, 2006. On February 3, 2006, the cases were consolidated.

The Administrative Law Judge's Amended Notice of Hearing set the hearing for April 4, 2006, via video teleconference from West Palm Beach and Tallahassee, Florida. On January 10, 2006, the Administrative Law Judge granted the Respondent's Motion for Protective Order to prevent the actual test questions and responses from being publicly divulged at hearing or any other time in any manner by the persons having access to the test questions and responses.

The Honorable J. D. Parrish presided over a formal hearing in this cause on April 4, 2006, via video teleconference from West Palm Beach and Tallahassee, Florida.

III. Findings of Fact and Conclusions of Law

The Commission, having been fully advised in this matter, hereby approves and adopts as its own the Administrative Law Judge's findings of fact and conclusions of law as presented by

the Administrative Law Judge in the Recommended Order. The Commission further approves the Administrative Law Judge's recommendations without modification.

IV. Conclusion

Based on the foregoing, good cause having been shown, it is therefore ORDERED and ADJUDGED that:

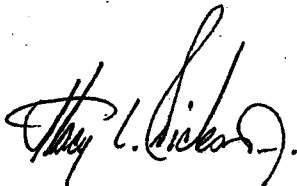
1. The challenge to examination questions by Jenny Lancett, is hereby denied.

It is further ADJUDGED that:

2. This Final Order will become effective upon filing with the Clerk of the Department of Law Enforcement.

SO ORDERED this 3d day of August, 2006.

CRIMINAL JUSTICE STANDARDS
AND TRAINING COMMISSION



DIRECTOR STACY DICKSON
CHAIR

NOTICE

THIS ORDER CONSTITUTES FINAL AGENCY ACTION. ANY PARTY WHO IS ADVERSELY AFFECTED BY THIS ORDER HAS THE RIGHT TO SEEK JUDICIAL REVIEW UNDER SECTION 120.56, F.S., BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE CLERK OF THE DEPARTMENT OF LAW ENFORCEMENT, P.O. BOX 1489, TALLAHASSEE, FLORIDA 32302-1489, AND BY FILING A SECOND COPY

OF THE NOTICE WITH TH APPROPRIATE DISTRICT COURT OF APPEAL IN ACCORDANCE WITH RULE 9.110, FLORIDA RULES OF APPELLATE PROCEDURE. SUCH NOTICE OF APPEAL MUST BE FILED WITHIN 30 DAYS OF THE DATE THIS ORDER IS RENDERED.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and a true copy of the foregoing was sent by U.S. Mail, certified, return receipt requested, to: Mr. Bruce Minnick, Minnick Law Firm, P.O. Box 15588, Tallahassee, Florida 32317-5588.

_____/s/_____

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(850) 410-7676