



Excellence With Caring

# Florida Agricultural and Mechanical University

TALLAHASSEE, FLORIDA 32307-3100

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OFFICE OF THE GENERAL COUNSEL

March 22, 2007

## VIA HAND-DELIVERY

Ms. Ann Cole, Clerk  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, FL 32399-3060


FILED  
07 MAR 22 PM 1:19  
DIVISION OF ADMINISTRATIVE  
HEARINGS

Re: Florida Agricultural and Mechanical University v. Gregory V. Black  
Case No.: 06-0720

Dear Ms. Cole:

It has been brought to my attention that the Final Order rendered in the above-styled case was not received by the Division of Administrative Hearings. I have enclosed a copy of the original letter dated November 3, 2006, transmitting the Final Order, as well as the Final Order dated October 24, 2006, for filing as appropriate. Please contact me if you have any questions or concerns.

Sincerely,

  
Antoneia L. Roe  
Assistant General Counsel

Copy: Elizabeth T. McBride, Esq.  
H. Richard Bisbee, Esq.

Enclosure

## STATEMENT OF THE ISSUE

Whether Respondent's termination for alleged misconduct should be upheld based on the reasons stated in the termination letter dated July 25, 2005.

## FINDINGS OF FACT

The University accepts the Findings of Fact, except Finding of Fact 19, set forth in the Administrative Law Judge's Recommended Order.

## CONCLUSIONS OF LAW

The University accepts the Conclusions of Law, except Conclusion of Law 22, set forth in the Recommended Order.

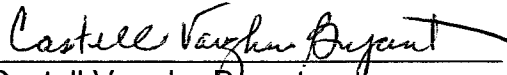
## EXCEPTIONS

Petitioner filed exceptions to the Recommended Order.

1. The Petitioner's exception to Finding of Fact 19 is hereby accepted. A review of the entire record reveals that there was competent and substantial evidence presented that Respondent did not execute an employment contract with the University and thus was an at-will employee. The University's interim president decided to withhold the employment contracts of all of the assistant football coaches. See Finding of Fact 17. As a result, the employment contracts were not distributed. See Transcript at Page 236. In addition, the employment contract clearly states in part that it is not final or binding upon the parties until and unless the signature of the University's

sealed and all references to Respondent's involvement with NCAA legislation violations redacted from his personnel file.

DONE and ORDERED this 24th day of October 2006, in Tallahassee, Florida.

  
Castell Vaughn Bryant  
Interim President  
Florida A&M University  
Lee Hall, Suite 400  
Tallahassee, Florida 32307  
(850) 599-3225

NOTICE OF RIGHT TO JUDICIAL REVIEW

A Party who is adversely affected by this Final Order is entitled to judicial review pursuant to Section 120.68, Florida Statutes. Review proceedings are governed by the Florida Rules of Appellate Procedure. Such proceedings are commenced by filing one copy of a notice of appeal with the Agency Clerk of Florida Agricultural and Mechanical University, Office of the General Counsel, Lee Hall, Suite 300, Tallahassee, Florida 32307, and a second copy, accompanied by filing fees prescribed by law, with the First District Court of Appeal. The Notice of Appeal must be filed within 30 days of rendition of this Order.