

STATE OF FLORIDA
CRIMINAL JUSTICE STANDARDS & TRAINING COMMISSION

FILED WITH THE CLERK OF THE CJS&T
COMMISSION THIS 11th DAY OF
May 2007
BY [Signature]
DEPUTY CLERK

JOCELYN MATHIS,

Petitioner,

v.

DOAH Case No. 06-3673

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

Respondent.

_____ /

FINAL ORDER

2007 MAY 15 A 11:56
DIVISION OF
ADMINISTRATIVE
HEARINGS
FILED

I. Statement of the Issue

Whether the Petitioner, Jocelyn Mathis, should receive credit for her answers to certain examination questions on the State Officer Certification Examination (SOCE) for law enforcement administered July 28, 2006.

II. Statement of Facts

The Petitioner took the SOCE for the second time on July 28, 2006. She was notified in writing that she had failed the examination for the second time. The Petitioner requested a review of her July 28, 2006, SOCE. The Petitioner reviewed her examination responses on August 7, 2006. At the review, the Petitioner wrote the reasons that she believed entitled her to credit for her missed questions. The Petitioner wrote these reasons on 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 a subject matter expert (SME) in the Petitioner's field of corrections. On each of these questions, the SMEs denied the Petitioner credit for her responses. The Petitioner was notified of the SME's decision August 14, 2006. Upon receipt of notification that she would not receive credit for the responses, the Petitioner formally requested a hearing to challenge the

CJSTC's denial of credit for her responses to the missed examination questions on the SOCE. This request for a hearing was made on August 31, 2006. The CJSTC staff sent a letter denying Petitioner's petition with leave to amend for lack of conformity with the statute and rules governing disputes involving substantial interests. Petitioner subsequently submitted an amended petition September 25, 2006. The CJSTC sent a request for assignment of Administrative Law Judge to DOAH on September 26, 2006.

The Administrative Law Judge's Notice of Hearing set the hearing for December 14, 2006, in Tallahassee, Florida. On December 6, 2006, the Administrative Law Judge granted the Petitioner's motion for continuance and set the hearing for January 29, 2007.

The Honorable P. Michael Ruff presided over a formal hearing in this cause on January 29, 2007, in 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 attached hereto and incorporated by reference herein. 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 Jocelyn Mathis 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 10th day of May, 2007.

CRIMINAL JUSTICE STANDARDS
AND TRAINING COMMISSION



DIRECTOR STACY DICKSON
CHAIR

DIVISION OF
ADMINISTRATIVE
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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 THE 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, this ___11th___ day of May, 2007, to: Ms. Jocelyn Mathis P.O. Box 1753, Lynn Haven, Florida 32444 .

_____/s/_____

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(850) 410-7676

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