

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

BEFORE THE SCHOOL BOARD OF ESCAMBIA COUNTY, FLORIDA

CHARLES V. KEENE,
Petitioner,

vs.

DOAH Case No.: 07-2125

ESCAMBIA COUNTY SCHOOL BOARD,
Respondent.

**FINAL ORDER ADOPTING THE FINDINGS OF FACT AND CONCLUSIONS
OF LAW OF THE ADMINISTRATIVE LAW JUDGE**

Pursuant to notice, a formal hearing was held in this matter on August 31, 2007, before the Division of Administrative Hearings by Administrative Law Judge Robert S. Cohen in Pensacola, Florida. The subject matter of the hearing was whether the Petitioner was entitled to damages and back salary for the period of April 22, 2004, through May 31, 2006, pursuant to Subsection 1012.33(3)(g), *Fla. Stat.* (2007), as well as interest and attorney's fees.

Judge Cohen issued a Recommended Order on December 21, 2007. Judge Cohen determined that Respondent had correctly denied the inclusion of Petitioner's 20 years of service in Alabama when placing Petitioner on the salary schedule. Judge Cohen made findings of fact and conclusions of law, which are supported by the record.

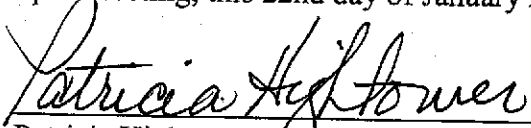
Pursuant to Section 120.57(1)(l), *Fla. Stat.*, the School Board of Escambia County hereby adopts the findings of fact and conclusions of law contained in the Recommended Order, which is specifically incorporated by reference and attached. The

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ADMINISTRATIVE
LAW JUDGE

Petitioner's claim for back salary in the amount of \$39,209.50, as well as pre- and post-judgment interest on this amount and attorney's fees and costs is hereby DENIED.

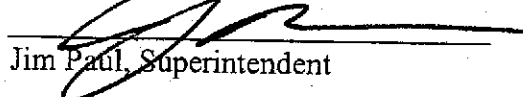
Petitioner has thirty (30) days from the rendition of this Order to file a notice of appeal in accordance with Section 120.68, *Fla. Stat.*

ADOPTED by the School Board of Escambia County, at Pensacola, Florida, in open meeting, this 22nd day of January 2008.


Patricia Hightower, Chair

APPROVED
SCHOOL BOARD ESCAMBIA COUNTY

JAN 22 2008

Attest: 
Jim Paul, Superintendent

JIM PAUL, SUPERINTENDENT OF SCHOOLS
VERIFIED BY RECORDING SECRETARY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S. Mail this 25 day of January 2008 to:

Robert S. Cohen, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, FL 32399-3060

Joseph L. Hammons, Esquire, Hammons, Longoria & Whittaker, P.A., 17 West Cervantes Street, Pensacola, FL 32501

Michael J. Stebbins, Esquire, Michael J. Stebbins, P.L., 504 North Baylen Street, Pensacola, FL 32501

Honorable Eric J. Smith, Commissioner of Education, Turlington Building, Suite 1514, 325 West Gaines Street, Tallahassee, FL 32399-0400

Deborah K. Kearney, General Counsel, Department of Education, Turlington Building, Suite 1244, 325 West Gaines Street, Tallahassee, FL 32399-0400.



Wanda Willis, Agency Clerk
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