

BEFORE THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA

SCHOOL BOARD OF PALM BEACH  
COUNTY

Petitioner,

vs.

DOAH CASE NO.: 08-2831

RUTHA SCOTT,

Respondent.

FILED  
2009 APR 23 A 10:36  
DIVISION OF  
ADMINISTRATIVE  
HEARINGS

FINAL ORDER

*THIS CAUSE*, came before the SCHOOL BOARD OF PALM BEACH COUNTY (hereinafter referred to as "SCHOOL BOARD") pursuant to a Recommended Order entered on February 16, 2009. The School Board approved the attached Settlement Agreement based upon Florida Statutes §120.569 and 120.570(1), on March 25, 2009, which provides for the following:

1) Rutha Scott will be reinstated to an instructional position with a thirty (30) work day suspension without pay, which will be deducted from any back pay for the suspension served during her appeal.

2) Rutha Scott will execute a Last Chance Agreement which will provide, among other things, that she will immediately tender her resignation or be terminated without the opportunity for a hearing in the event that she engages in the same or similar conduct as that which is currently at issue.

3) Rutha Scott will agree to participate in the Employee Assistance Program ("EAP") of the District.

4) Rutha Scott will be granted back pay, minus legally required deductions, for the period of June 6, 2008 through March 25, 2009.

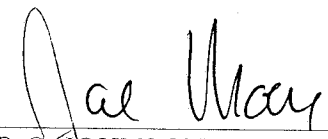
5) The execution of this Agreement resolves any and all outstanding issues relating to this matter;

6) The Superintendent and Board Attorney or their designee are authorized to execute the attached Settlement Agreement.

**WHEREFORE, IT IS ORDERED AND ADJUGED**, that the Settlement Agreement entered into between the School Board and Rutha Scott is hereby adopted and approved by the School Board and resolves all issues relating to the appeal of Rutha Scott's recommended disciplinary action. This Final Order shall take affect upon being filed with Clerk of the SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA.

**DONE AND ORDERED** this 25<sup>th</sup> day of March, 2009.

**PALM BEACH COUNTY SCHOOL BOARD**

*for*   
ARTHUR C. JOHNSON, PH.D., SUPERINTENDENT

  
WILLIAM GRAHAM, CHAIRMAN

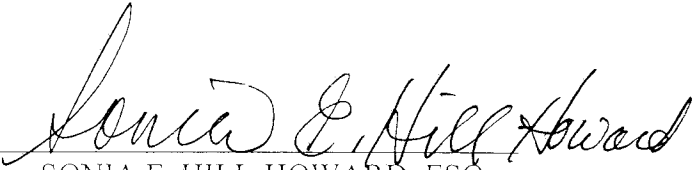
**NOTICE OF RIGHT TO JUDICIAL REVIEW**

Any party who was adversely affected by this Final Order is entitled to judicial review pursuant to Fla. Stat. §120.68. 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 the SCHOOL BOARD OF PALM BEACH COUNTY and a second copy, accompanied by filing fees prescribed by law, with the 4<sup>th</sup> District Court of Appeal or with the District Court of Appeal in the Appellate District, where the party resides. The Notice of Appeal must be filed within 30 days of rendition of the Order to be reviewed.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail this 8<sup>th</sup> day of April, 2009 to: Certified Mail Return Receipt to: Rutha Scott 9118E Boca Gardens Parkway, Boca Raton, FL 33496, Patricia Hart, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Appalachee Parkway, Tallahassee, Florida 32399-3060; Honorable Eric Smith, Commissioner of Education, Turlington Building, Suite 1514, 325 West Gaines Street, Tallahassee, Florida 32399-0400; Deborah Kearney, General Counsel, Department of Education, 1244 Turlington Building, 315 West Gaines Street, Tallahassee, Florida 32399-0400.

By:   
SONIA E. HILL-HOWARD, ESQ.  
Fla. Bar No.: 0242240