

BEFORE THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA

FILED
2009 JUN -8 A 10:34
DIVISION OF
ADMINISTRATIVE
HEARINGS

PALM BEACH COUNTY SCHOOL BOARD
Petitioner,

Case No.: 08-3986
JUDGE ELEANOR M. HUNTER

vs.

GWENDOLYN JOHNSON
Respondent.

FINAL ORDER

THIS CAUSE, came before the SCHOOL BOARD OF PALM BEACH COUNTY (hereinafter referred to as "SCHOOL BOARD") pursuant to Section 120.569 and 120.57 Fla. Stat., on May 27, 2009 in West Palm Beach Florida for the purpose of hearing exceptions to the Administrative Law Judge's Recommended Order entered on April 16, 2009 recommending that a final order be entered suspending Respondent without pay for twenty (20) days.

Present at the hearing on Respondent's exceptions was Petitioner's counsel, Sonia E. Hill-Howard, Senior Counsel, Personnel, Respondent's counsel, Frederick W. Ford, and Respondent, Gwendolyn Johnson. Upon review of the Recommended Order, the arguments of both counsel, and the record in this case, the Board makes the following findings and conclusions.

RULINGS ON EXCEPTIONS

The Board reviewed and considered the Eleven Exceptions filed by the Respondent in this matter and rejects Respondent's Exceptions one through eleven. The vote on each exception was as followed:

- Exception One Rejected by the Board by a vote of six (6) to one (1)
- Exception Two Rejected by the Board by a vote of six (6) to one (1)
- Exception Three Rejected by the Board by a vote of six (6) to one (1)
- Exception Four Rejected by the Board by a vote of six (6) to one (1)

Exception Five	Rejected by the Board by a vote of six (6) to one (1)
Exception Six	Rejected by the Board by a vote of four (4) to three (3)
Exception Seven	Rejected by the Board by a vote of six (6) to one (1)
Exception Eight	Rejected by the Board by a vote of six (6) to one (1)
Exception Nine	Rejected by the Board by a vote of six (6) to one (1)
Exception Ten	Rejected by the Board by a vote of six (6) to one (1)
Exception Eleven	Rejected by the Board by a vote of six (6) to one (1)

FINDINGS OF FACT

1. The findings of fact set forth in the Recommended Order are approved, adopted and incorporated herein by reference in its entirety.
2. There is competent substantial evidence to support the findings of fact.

CONCLUSIONS OF LAW

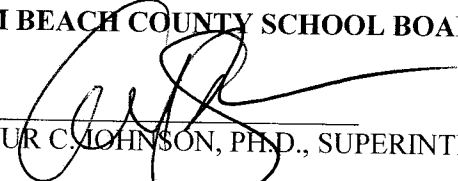
1. The Board has jurisdiction of this matter pursuant to Fla. Stat. § 120.57(1).
2. The conclusions of law set forth in the Recommended Order are approved, adopted and incorporated herein by reference.

WHEREFORE, IT IS ORDERED AND ADJUGED, that the Recommended Order from the Administrative Law Judge is hereby adopted and approved by the School Board and resolves all issues relating to the appeal of Gwendolyn Johnson's recommended disciplinary action. Accordingly, the Board hereby issues a Final Order suspending Dr. Gwendolyn Johnson without pay for twenty (20) work days

commencing on June 4, 2009. This Final Order shall take affect upon being filed with Clerk of the SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA.

DONE AND ORDERED this 3rd day of June, 2009.

PALM BEACH COUNTY SCHOOL BOARD



ARTHUR C. JOHNSON, PH.D., SUPERINTENDENT



WILLIAM GRAHAM, CHAIRMAN

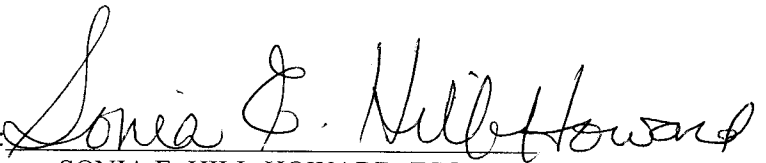
NOTICE OF RIGHT TO JUDICIAL REVIEW

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 4th 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 4th day of June, 2009 to: Certified Mail Return Receipt to: Frederick W. Ford, 2801 PGA Boulevard, Suite 110, Palm Beach Gardens, Florida 33410, Eleanor M. Hunter, 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