

BEFORE THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA

FILED
2010 APR 26 P 12:16
DIVISION OF
ADMINISTRATIVE
HEARINGS

SCHOOL BOARD OF PALM BEACH COUNTY
Petitioner,

Case No.: 09-0157
JUDGE ROBERT MEALE

vs.

KATHLEEN CARDEN
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 November 3, 2009 in West Palm Beach, Florida for the purpose of an administrative hearing. The Administrative Law Judge's Recommended Order was entered on January 14, 2010, recommending that a final order be entered dismissing all charges against Respondent.

Present at the hearing for the Petitioner was counsel, Sonia E. Hill-Howard, Sr. Associate Counsel, Respondent's Counsel, Stuart Kaplan, and Respondent Kathleen Carden. Upon review of the Recommended Order, the Board makes the following findings and conclusions.

FINDINGS OF FACT

1. The findings of fact set forth in the Recommended Order are approved, adopted and incorporated herein by reference in their 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 Kathleen Carden's recommended disciplinary action. Accordingly, the Board hereby issues a Final Order dismisses all charges against Respondent. This Final Order shall take affect upon being filed with Clerk of the SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA.

DONE AND ORDERED this 14th day of April, 2010.

PALM BEACH COUNTY SCHOOL BOARD



ARTHUR C. JOHNSON, PH.D., SUPERINTENDENT



MONROE BENAİM, 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 23rd day of April, 2010 to: Certified Mail Return Receipt to: Stuart Kaplan, Esq., 6650 Indiantown Road, Suite 200, Jupiter, FL 33458, Robert Meale, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Appalachee Parkway, Tallahassee, Florida 32399-3060.

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