

BEFORE THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA

PALM BEACH COUNTY SCHOOL BOARD
Petitioner,

vs.

Case No.: 09-2748
JUDGE JOHN VANLANINGHAM

OSMEL GONZALEZ
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 September 22, 2009 in West Palm Beach Florida for the purpose of administrative hearing. The Administrative Law Judge's Recommended Order was entered on December 3, 2009, recommending that a final order be entered terminating Respondent's from employment with the School Board.

Present at the hearing for the Petitioner was counsel, Elizabeth T. McBride, Associate Counsel, Respondent Osmel Gonzalez, was Pro-Se, but an interpreter was present . 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 its entirety.
2. There is competent substantial evidence to support the findings of fact.

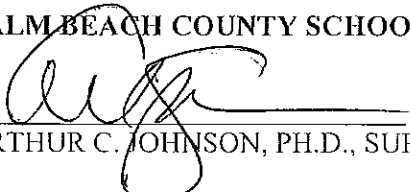
CONCLUSIONS OF LAW

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 Osmel Gonzalez' recommended disciplinary action. Accordingly, the Board hereby issues a Final Order terminating Osmel Gonzalez' employment with the School Board. This Final Order shall take affect upon being filed with Clerk of the SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA.

DONE AND ORDERED this 27th day of January, 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 27th day of January, 2010 to: Certified Mail Return Receipt to: Osmel Gonzalez, 1228 Highview Road, Lantana, FL 33462. John G. Van Laningham, Administrative Law Judge, Division of

Administrative Hearings, The DeSoto Building, 1230 Appalachee Parkway, Tallahassee, Florida 32399-3060.

By: *Elizabeth McBride*
ELIZABETH T. MCBRIDE, ESQ.
Fla. Bar No.: 438431