

BEFORE THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA

FILED
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DIVISION OF
ADMINISTRATIVE
HEARINGS

PALM BEACH COUNTY SCHOOL BOARD
Petitioner,

Case No.: 09-2926
JUDGE ERROL H. POWELL

vs.

AUGUSTUS CHAPPELLE
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., February 9, 2010, in West Palm Beach Florida for the purpose of administrative hearing. The Administrative Law Judge's Recommended Order was entered on May 10, 2010, recommending that a final order be entered suspending Respondent without pay for fifteen (15) days and reinstating his employment as of the date of the expiration of his employment.

Present at the hearing for the Petitioner was counsel, Vicki Evans-Paré, Associate Counsel, and Respondent, Augustus Chappelle. Petitioner filed an Exception to the Recommended Order. Upon review of the entire record and a full hearing on the Exception, 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 Augustus Chappelle's recommended disciplinary action. Accordingly, the Board hereby issues a Final Order suspending Respondent without pay for fifteen (15) days and reinstating his employment as of the date of the expiration of his employment. This Final Order shall take effect upon being filed with Clerk of the SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA.

DONE AND ORDERED this 21st day of August, 2010.

PALM BEACH COUNTY SCHOOL BOARD



ARTHUR C. JOHNSON, PH.D., SUPERINTENDENT



MONROE BENAIM, 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 10th day of August, 2010 to: Certified Mail Return Receipt to: Augustus Chappelle, 3249 Gardens East Road, Apt. C, Palm Beach Gardens, FL 33410; Errol Powell, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Appalachee Parkway, Tallahassee, Florida 32399-3060.

By: Vicki L. Evans-Paré
VICKI EVANS-PARÉ, ESQ.
Fla. Bar No.: 0025658