

BEFORE THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA

PALM BEACH COUNTY SCHOOL BOARD
Petitioner,

vs.

Case No.: 09-4304
JUDGE ERROL H. POWELL

JORGE 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 April 16, 2010 via video teleconference for the purpose of an administrative hearing. The Administrative Law Judge's Recommended Order was entered on June 17, 2010, recommending that a final order be entered suspending Respondent for 15 days without pay and terminating Respondent from employment with the School Board.

Present at the hearing for the Petitioner was counsel, Corey M. Smith, Associate Counsel, Neither Respondent, Jorge Gonzalez, nor a representative on his behalf were 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 Jorege Gonzalez' recommended disciplinary action. Accordingly, the Board hereby issues a Final Order suspending Jorge Gonzalez for 15 days without pay and terminating Jorge 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 11th day of August, 2010.

PALM BEACH COUNTY SCHOOL BOARD

for Joseph Momy, CoO
ARTHUR C. JOHNSON, PH.D., SUPERINTENDENT


Monroe Benaim MD
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 to Errol H. Powell, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Appalachee Parkway, Tallahassee, Florida 32399-3060; and by U.S. Mail and Certified Mail to: Jorge Gonzalez, 123 Newberry Lane, Royal Palm Beach, FL 33414, this 12th day of August, 2010.

By:  2/19/10
COREY M. SMITH, ESQ.
Fla. Bar No.: 190837