

**SCHOOL BOARD**

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**SUPERINTENDENT**

Tim McGonegal

**SCHOOL DISTRICT OF MANATEE COUNTY**

June 24, 2010

**VIA FACSIMILE 850-921-6847**

State of Florida  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, FL 32301

**Re: SBMC vs. Graves—DOAH Case No. 09-6216**  
**SBMC Case No. 09-0010**

Dear Clerk:

Pursuant to section 120.57(1)(m), Florida Statutes (2009), attached please find a copy of the Final Order Rejecting Respondent's Exceptions and Approving Recommended Order entered by the Board on June 21, 2010 and filed with the agency clerk on such date, together with the exceptions filed in connection with the subject matter.

Sincerely,

John W. Bowen  
School Board Attorney

JWB/mjb

Encls

cc: Erin Jackson, Esq.  
Melissa Mihok, Esq.

P.O. Box 9069  
Bradenton, Florida  
34206-9069  
215 Manatee Ave. W.  
Bradenton, FL  
34205  
PH. (941) 708-8770  
FAX. (941) 714-7536  
[www.manateeschools.net](http://www.manateeschools.net)

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06-21-10P04:59 FILE

**BEFORE THE SCHOOL BOARD  
OF MANATEE COUNTY, FLORIDA**AGENCY CLERK  
SCHOOL BOARD OF MANATEE COUNTY**THE SCHOOL BOARD OF  
MANATEE COUNTY, FLORIDA,****Petitioner/Employer,**

vs.

**SBMC: Case No. 09-0010  
DOAH: Case No. 09-6216****MELISSA GRAVES,****Respondent/Employee.**  
\_\_\_\_\_ /**FINAL ORDER REJECTING RESPONDENT'S EXCEPTIONS  
AND APPROVING RECOMMENDED ORDER**

THIS CAUSE, having come before the School Board of Manatee County, Florida, on June 14, 2010, for final action on the RECOMMENDED ORDER of the Administrative Law Judge, Eleanor M. Hunter, dated March 26, 2010, and the Board, having reviewed and considered the entire record, as well as the exceptions filed and arguments of counsel, hereby rejects the exceptions filed by Respondent for the reasons set forth in Petitioner's Response to Respondent's Exceptions to Recommended Order, a copy of which is attached to this Final Order and incorporated fully herein by reference. The School Board adopts the March 26, 2010, RECOMMENDED ORDER, as the Board's Final Order with the exception of the reference made to January 8, 2009 on line 1 of page 5 of the Recommended Order, which is hereby amended to read June 8, 2009, and thereby incorporates such order, as amended, fully herein by reference.

DONE AND ENTERED this 21st day of June, 2010, in Bradenton, Manatee County, Florida.

  
\_\_\_\_\_  
Jane Pfeilsticker, Chair

COPIES FURNISHED:

Erin Jackson, Esq.  
Scott Martin, Esq.  
Melissa Mihok, Esq.  
Brian Ussery, Esq.  
Human Resources Department  
Payroll Department  
Personnel Department  
Risk Management

NOTICE

**All parties have the right of judicial review of this Order in accordance with section 120.68, Florida Statutes. In order to appeal, a party must file a notice of appeal with Lyn Lego, the Agency Clerk of the School Board of Manatee County, Florida, at 215 Manatee Avenue West, Bradenton, Florida 34205, within thirty (30) days of the rendition of this order and must also file a copy of the notice, accompanied by filing fees, with the Clerk of the Second District Court of Appeal, 1005 East Memorial Blvd., Lakeland, Florida 33801, telephone number (863)499-2290. Review proceedings shall be conducted in accordance with the Florida Appellate Rules, and specifically, Rule 9.110 of such Florida Appellate Rules.**