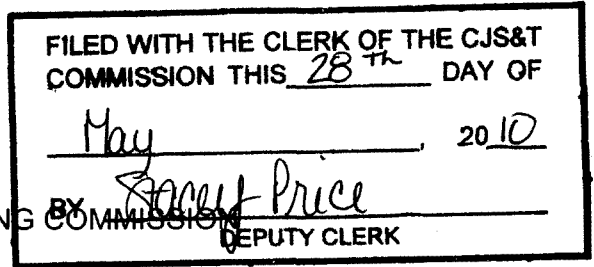


STATE OF FLORIDA
CRIMINAL JUSTICE STANDARDS & TRAINING COMMISSION



TYRONDA HOBBS,

Petitioner,

v.

DOAH Case No. 10-0054

DEPARTMENT OF LAW
ENFORCEMENT,
CRIMINAL JUSTICE STANDARDS
AND TRAINING COMMISSION,

Respondent.

_____ /

FINAL ORDER

I. Statement of the Issue

Whether the Petitioner, TyRonda Hobbs, should receive credit for her answers to 14 examination questions on the State Officer Certification Examination (SOCE) for law enforcement administered on September 30, 2009.

II. Statement of Facts

The Petitioner took the SOCE for the third time on September 30, 2009. She was notified in writing that she had failed the examination for the third time and would be required to re-enter basic recruit training and successfully complete the entire basic recruit program before being allowed to take the SOCE again. The Petitioner requested a review of her September 30, 2009, SOCE. The Petitioner reviewed her examination responses on November 2, 2009. At the review, the Petitioner wrote the reasons that she believed entitled her to credit for 14 questions. The Petitioner wrote these reasons on 14 sheets of paper provided by the Criminal Justice Standards and Training Commission (CJSTC). The Petitioner's reasons for believing

that she should be granted credit for these 14 questions were then reviewed by subject matter experts (SME) in the Petitioner's field of law enforcement. On each of these questions, the SMEs denied the Petitioner credit for her responses. Upon receipt of notification that she would not receive credit for the responses, the Petitioner formally requested a hearing to challenge the CJSTC's denial of credit for her responses to the fourteen examination questions on the SOCE. The amended request for a hearing was made on December 28, 2009. The CJSTC sent a request for assignment of Administrative Law Judge to the Division of Administrative Hearings (DOAH) on January 7, 2010.

The Administrative Law Judge's Amended Notice of Hearing set the hearing for February 24, 2010, via video teleconference from Orlando and Tallahassee, Florida. Prior to the hearing, the Administrative Law Judge granted the Respondent's Motion for Protective Order to prevent the actual test questions and responses from being publicly divulged at hearing or any other time in any manner by the persons having access to the test questions and responses.

The Honorable Daniel Manry presided over a formal hearing in this cause on February 24, 2010, via video teleconference from Orlando and Tallahassee, Florida. The Petitioner withdrew her challenges at the hearing to four of the original 14 questions, leaving ten questions as the subject of the proceeding.

III. Findings of Fact and Conclusions of Law

The Commission, having been fully advised in this matter, hereby approves and adopts as its own the Administrative Law Judge's findings of fact and conclusions of law as presented by the Administrative Law Judge in the Recommended Order. The Commission further approves the Administrative Law Judge's recommendations without modification.

IV. Conclusion

Based on the foregoing, good cause having been shown, it is therefore ORDERED and ADJUDGED that:

1. The challenge to ten examination questions by TyRonda Hobbs is hereby denied.

It is further ADJUDGED that:

2. This Final Order will become effective upon filing with the Clerk of the Department of Law Enforcement.

SO ORDERED this 20th day of May, 2010.

CRIMINAL JUSTICE STANDARDS
AND TRAINING COMMISSION



CHIEF WILLIAM J. ROMINE
CHAIR

NOTICE

THIS ORDER CONSTITUTES FINAL AGENCY ACTION. ANY PARTY WHO IS ADVERSELY AFFECTED BY THIS ORDER HAS THE RIGHT TO SEEK JUDICIAL REVIEW UNDER SECTION 120.56, F.S., BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE CLERK OF THE DEPARTMENT OF LAW ENFORCEMENT, P.O. BOX 1489, TALLAHASSEE, FLORIDA 32302-1489, AND BY FILING A SECOND COPY OF THE NOTICE WITH THE APPROPRIATE DISTRICT COURT OF APPEAL IN ACCORDANCE WITH RULE 9.110, FLORIDA RULES OF APPELLATE PROCEDURE. SUCH NOTICE OF APPEAL MUST BE FILED WITHIN 30 DAYS OF THE DATE THIS ORDER IS RENDERED.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing was sent by U.S. Mail, certified, return receipt requested, to: Ms. TyRonda Hobbs, [REDACTED] this ___28th___ day of May, 2010.

_____/s/_____

Grace A. Jaye
Florida Bar #0847143
Assistant General Counsel
Criminal Justice Standards
and Training Commission
Tallahassee, FL 32302-1489
(850) 410-7676