

**BEFORE THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA**

BROWARD COUNTY SCHOOL BOARD,

DOAH CASE NO: 10-0629  
SBBC Agenda: 040511H01

Petitioner,

v.

ALEXANDRA KRALIK,

Respondent.

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**FINAL ORDER**

This cause coming on to be heard before THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA, at its meeting conducted on April 5, 2011, to consider (1) the Recommended Order entered on December 6, 2010 by the Honorable Eleanor M. Hunter, Administrative Law Judge of the State of Florida, Division of Administrative Hearings, consisting of Findings of Fact, Conclusions of Law and a Recommendation; (2) Petitioner's Exceptions to the Recommended Order; and (3) Respondent's response to same.

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA, having reviewed the entire record and transcript, and having heard oral argument presented by all counsel on behalf of the parties, and being fully advised in the Premises:

IT IS THEREUPON ORDERED AND ADJUDGED BY THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA, that:

1. THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA accepts the Petitioner's Exceptions as to the Findings of Fact in paragraph 30 of the Recommended Order, because the competent and substantial evidence in the record does not support the finding. Rather, the competent

and substantial evidence in the record shows that the Respondent did engage in inappropriate physical contact with the victim QP, which contact was not excused and caused the victim QB pain. (Transcript pages 62-63, 90, 106-107, 121-122, 174-176, 197 and paragraph 29 of the Recommended Order).

2. THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA accepts the Petitioner's Exception to the Finding of Facts set forth in paragraph 31 of the Recommended Order (which shall be treated as a Conclusion of Law by consent of both parties) because the evidence set forth in paragraphs 1 through 29 of the Recommended Order more reasonably support a conclusion that the Respondent is guilty of the offense of misconduct in office, immorality and incapacity as charged in the Administrative Complaint. Accordingly, paragraph 31 of the Recommended Order is rejected in its entirety.

3. THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA rejects the Administrative Law Judge's recommendation that the School Board enter a Final Order dismissing the charges against Respondent Kralik and further finds from a complete review of the record, including but not limited to, the evidence referenced in paragraphs 1 through 29, that Respondent's termination from her position as a teacher based upon inappropriate harmful physical contact with QP is warranted.

4. The Administrative Law Judge's Findings of Fact and Conclusions of Law in the Recommended Order are adopted by The School Board of Broward County, Florida except as modified herein.

**Based on the foregoing Findings of Fact and Conclusions of Law, THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA, hereby terminates the employment of ALEXANDRA KRALIK with The School Board.**

DONE AND ORDERED in Fort Lauderdale, Broward County, Florida this 22<sup>nd</sup> day of July, 2011.

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

By: Benjamin J. Williams, Chair

Copies furnished to:

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**APPEAL OF FINAL ORDER**

THIS FINAL ORDER may be appealed by filing Notices of Appeal and a filing fee, as set forth in §120.68(2), Florida Statutes, and Rules 9.110(b) and (c), Florida Rules of Appellate Procedure, within thirty (30) days of the entry of this Final Order.

Filed in Official School Board Records the  
22<sup>nd</sup> day of September, 2011.

  
Supervisor, Official School Board Records