

BEFORE THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA

PALM BEACH COUNTY SCHOOL BOARD

Petitioner,

vs.

FILED
2011 FEB 18 A 11:11
DIVISION OF
ADMINISTRATIVE
HEARINGS

Case No.: 10-1525
JUDGE ELEANOR M. HUNTER

RICHARD RAHEY

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 September 2, 2010 via video teleconference for the purpose of an administrative hearing. The Administrative Law Judge's Recommended Order was entered on November 10, 2010, recommending that a final order be entered suspending Respondent 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, and Sonia Hill-Howard, Director of Employee Relations. Respondent appeared on his own behalf. 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

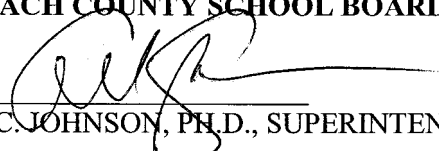
3. The Board has jurisdiction of this matter pursuant to Fla. Stat. § 120.57(1).

4. 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 Richard Rahey's recommended disciplinary action. Accordingly, the Board hereby issues a Final Order suspending Richard Rahey without pay and terminating his employment with the School Board. This Final Order shall take effect upon being filed with Clerk of the SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA.

DONE AND ORDERED this 2nd day of February, 2011.

PALM BEACH COUNTY SCHOOL BOARD



ARTHUR C. JOHNSON, PH.D., SUPERINTENDENT




FRANK A. BARBIERI JR. ESQ., 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 Eleanor M. Hunter, 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: Richard Rahey, 4339 Willow Pond Road, Unit B, West Palm Beach, FL 33417, this 15 day of February, 2011.

By: 
Corey M. Smith, Esq.
Fla. Bar. No. 190837