

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

FILED
2011 APR 25 A 11:48

RONALD MIXON,
Petitioner,

vs.

DIVISION OF
ADMINISTRATIVE
HEARINGS
Case No. 10-2338

ESCAMBIA COUNTY SCHOOL BOARD,
Respondent.

**FINAL ORDER ADOPTING THE FINDINGS OF FACT AND CONCLUSIONS
OF LAW OF THE ADMINISTRATIVE LAW JUDGE**

Pursuant to Notice, a final hearing was held in this matter on October 14, 2010, before the Division of Administrative Hearings by Administrative Law Judge Diane Cleavinger in Pensacola, Florida. The subject matter of the hearing was to determine whether there was just cause to discipline or terminate Petitioner's employment with Respondent based on misconduct.

Judge Cleavinger issued a Recommended Order on January 28, 2011. Judge Cleavinger concluded that Respondent failed to prove that Petitioner's conduct was sufficiently egregious to justify termination without resort to any lesser discipline. Judge Cleavinger recommended that the School Board of Escambia County enter a final order reinstating the Petitioner's employment, issuing a written reprimand to Petitioner, and requiring further employee training by Petitioner.

Judge Cleavinger made findings of fact and conclusions of law, which are supported by the record. Neither party filed exceptions to the proposed order.

Pursuant to Section 120.57, Florida Statutes, the School Board of Escambia County hereby adopts the findings of fact and conclusions of law contained in the Recommended Order.

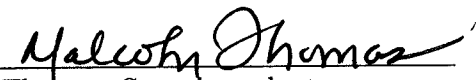
The School Board of Escambia County enters this Final Order reinstating the employment of Ronald Mixon.

Further, the School Board of Escambia County shall issue a written reprimand to Petitioner, and require further employee training by Petitioner.

Petitioner has thirty (30) days from the rendition of this Order to file a notice of appeal in accordance with Section 120.68, Florida Statutes.

ADOPTED by the School Board of Escambia County, at Pensacola, Florida, in open meeting, this 19th day of April, 2011.


Gerald W. Boone, Chair

Attest: 
Malcolm Thomas, Superintendent

APPROVED
ESCAMBIA COUNTY SCHOOL BOARD

APR 19 2011

MALCOLM THOMAS, SUPERINTENDENT
VERIFIED BY RECORDING SECRETARY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S.

Mail this 21st day of April, 2011 to:

Diane Cleavinger, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, FL 32399-3060

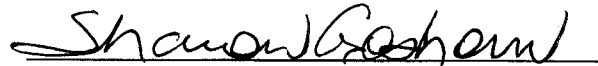
Joseph L. Hammons, Esquire, The Hammons Law Firm, 17 West Cervantes Street, Pensacola, FL 32501

H. B. Stivers, Esquire, Levine & Stivers, 245 East Virginia Street, Tallahassee, FL 32301

Malcolm Thomas, Superintendent, School District of Escambia County, FL, 75 N Pace Blvd., Pensacola, FL 32505

Deborah K. Kearney, General Counsel, Department of Education, Turlington Building, Suite 1244, 325 West Gaines Street, Tallahassee, FL 32399.

Dr. Eric J. Smith, Commissioner of Education, Turlington Building, Suite 1514, 325 West Gaines Street, Tallahassee, FL 32399-0400



Sharon B. Goshorn, Agency Clerk
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