

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

BROWARD COUNTY SCHOOL BOARD,

Petitioner,
vs.

DOAH CASE No. 12-1601
SSBM Agenda: 021213-1

RICHARD ALLEN,

Respondent.

FINAL ORDER

THIS CAUSE came before THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA on February 12, 2013, to consider (1) the Recommended Order entered on October 31, 2012, by the June C. McKinney, Administrative Law Judge (hereinafter "ALJ") of the State of Florida Division of Administrative Hearings; (2) Petitioner's Exceptions to the Recommended Order; and (3) Respondent's Response to the Petitioner's Exceptions. The Exceptions filed by the Petitioner were withdrawn Ore Tenus and the Superintendent's Recommendation was amended to adopt the Recommended Order of the Administrative Law Judge.

IT IS THEREUPON ADJUDGED that:

1. The Recommended Order is adopted in its entirety and is incorporated herein by reference.
2. The School Board hereby:
 - a. Sustains Respondent's charges of violating rule 6B-1.006(4)(c) and the School and District Technology Usage policy 5306 sections 6(b)1(f)and(g);
 - b. Dismisses Respondent's charges sections 1002.20, 1002.22, and 1012.33, Broward County School Board policy 5100.1, 20 U.S.C.A. section 1232(g), and rules 6(B)-1.001, 6(B)-1.006(3)(f),(h),(i), 4(b), 5(a), and 6(A)-1.0955, 6(B)-4.009(1)(2) and (3); and

- c. Immediately reinstates Respondent Richard Allen.
3. The School Board shall:
- (a) Provide Respondent, Richard Allen, with a written reprimand for the three violations; and
 - (b) Issue Respondent back salary.
4. Petitioner's Motion to Relinquish Jurisdiction and Remand the Case to the Department of Administrative Hearings (DOAH) is denied as moot.

DONE AND ORDERED in Fort Lauderdale, Broward County, Florida this 22nd day of February 2013.

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

By Laurie Rich Levinson
LAURIE RICH LEVINSON, CHAIR

Filed in Official School Board Records the 22nd day of February, 2013.

Oliver J. [Signature]
Supervisor, Official School Board Records

Copies furnished to:

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ADMINISTRATIVE HEARINGS
The DeSoto Building
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Tallahassee, Florida 32399-3060

APPEAL OF FINAL ORDER

Pursuant to Section 120.68, Fla. Sta., a party to this proceeding may seek judicial review of this Final Order in the appropriate district court of appeal by filing a notice of appeal with Noemi Gutierrez, Agency Clerk, Official School Board Records, The School Board of Broward County, Florida, 600 Southeast Third Avenue – 2nd Floor, Fort Lauderdale, Florida 33301, on or before thirty (30) days from the date of this Final Order. A copy of the notice and a copy of this Final Order, together with the appropriate filing fee, must also be filed with the Clerk, Fourth District Court of Appeal, 1525 Palm Beach Lakes Boulevard, West Palm Beach, Florida 33401-2399. If you fail to file your notice of appeal within the time prescribed by laws and the rules of court, you will lose your right to appeal this Final Order.