

BEFORE THE SCHOOL BOARD OF ST. LUCIE COUNTY, FLORIDA

ST. LUCIE COUNTY SCHOOL BOARD,  
Petitioner,

v.

DOAH Case No. 12-2755TTS

ELLEN WOODCOCK,  
Respondent.

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FINAL ORDER

THIS CAUSE came before The School Board of St. Lucie County, Florida ("School Board"), as governing body of The School District of St. Lucie County, Florida ("District"), for final agency action in accordance with Section 120.57(1)(k) and (1), Florida Statutes.

Appearances

For Petitioner: Elizabeth Coke, Esquire  
Leslie Jennings Beuttell, Esquire  
Richeson & Coke, P.A.  
317 South Second Street  
Post Office Box 4048  
Fort Pierce, Florida 34948-4048

For Respondent: Jeffrey S. Sirmons, Esquire  
Johnson & Sirmons, LLP  
510 Vonderburg Drive, Suite 309  
Brandon, Florida 33511

Introduction

The Respondent Ellen Woodcock is a teacher employed by the Petitioner St. Lucie County School Board. The Petitioner, by and through the Superintendent of Schools, sought to discipline the Respondent for just cause in accordance with Section 1012.33(1)(a), Fla. Stat., and School Board Policy 6.301 for alleged misconduct in violation of Policies 6.301(2), 6.301(3)(b), and 6.302.

The Respondent requested a formal administrative hearing and one was held on October 10 and November 9, 2012, before an Administrative Law Judge (“ALJ”) of the Division of Administrative Hearings of the Florida Department of Administration. On January 24, 2013, the ALJ entered a Recommended Order finding that all of the charges against the Respondent fail, as a matter of fact. Recommended Order at p. 10, ¶ 22. He recommended that the School Board enter a Final Order (a) exonerating the Respondent of all charges brought against her in this proceeding, (b) providing that the Respondent be reinstated to the position from which she was suspended without pay, and (c) awarding the Respondent back salary, plus benefits, that accrued during the suspension period, together with interest thereon at the statutory rate. Recommended Order at p. 10. The Recommended Order has been forwarded to the School Board in accordance with Section 120.57(1), Florida Statutes, and is attached to and made a part of this Final Order.

Neither party filed exceptions to the Recommended Order. On February 14, 2013, the Superintendent as Petitioner filed a motion (“Superintendent’s Motion”) requesting that the School Board adopt the Recommended Order and grant to the Respondent the relief set forth therein.

Determination

The School Board met on February 26, 2013, in Fort Pierce, St. Lucie County, Florida, to take final agency action. Upon consideration of the Recommended Order and the Superintendent’s Motion, the School Board adopts the findings of fact, conclusions of law, and recommendation set forth in the Recommended Order.

WHEREFORE, IT IS HEREBY ORDERED AND ADJUDGED that the Respondent Ellen Woodcock be, and she is hereby, (a) exonerated of all charges brought against her in this proceeding, (b) reinstated to the position with The School Board of St. Lucie County, Florida,


from which she was suspended without pay, and (c) awarded back salary, plus benefits, that accrued during the suspension period, together with interest thereon at the statutory rate, all as of the effective date of this Final Order. This Final Order shall take effect upon filing with the Superintendent of Schools as Secretary of THE SCHOOL BOARD OF ST. LUCIE COUNTY, FLORIDA.

A copy of this Final Order shall be provided to the Division of Administrative Hearings within 15 days of filing, as set forth in Section 120.57(1)(m), Fla. Stat.

DONE AND ORDERED this 26<sup>th</sup> day of February, 2013.

THE SCHOOL BOARD OF ST. LUCIE COUNTY,  
FLORIDA

By:   
DEBORAH A. HAWLEY, Chair

Attest:   
MICHAEL J. LANNON, Superintendent and Ex-Officio  
Secretary to The School Board of St. Lucie County, Florida

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## NOTICE OF RIGHT TO APPEAL

Any party adversely affected by this Final Order may seek judicial review pursuant to Section 120.68, Fla. Stat., and Fla. R. App. P. 9.030(b)(1)(C) and 9.110. To initiate an appeal, one copy of a Notice of Appeal must be filed, within the time period stated in the Fla. R. App. P. 9.110, with the Superintendent as Ex-Officio Secretary of The School Board of St. Lucie County, Florida, 4204 Okeechobee Road, Fort Pierce, Florida 34947. A second copy of the Notice of Appeal, together with the applicable filing fee, must be filed with the appropriate District Court of Appeal.

Attachment: Recommended Order

Copies furnished to:

Elizabeth Coke, Esquire  
Leslie Jennings Beuttell, Esquire  
Jeffrey S. Sirmons, Esquire  
Daniel B. Harrell, Esquire  
Clerk, Division of Administrative Hearings