

BEFORE THE SCHOOL BOARD OF ST. LUCIE COUNTY, FLORIDA

ST. LUCIE COUNTY SCHOOL BOARD,
Petitioner,

v.

DOAH Case No. 13-3849TTS

WILLIAM DORAN,
Respondent.

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
Richeson & Coke, P.A.
317 South Second Street
Post Office Box 4048
Fort Pierce, Florida 34948-4048

For Respondent: Thomas L. Johnson, Esquire
Law Office of Thomas Johnson, P.A.
510 Vonderburg Drive, Suite 309
Brandon, Florida 33511

Introduction

The Respondent William Doran 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 immorality and misconduct in office.

The Respondent requested a formal administrative hearing and one was held on June 3, 2014, before an Administrative Law Judge (“ALJ”) of the Division of Administrative Hearings of the Florida Department of Administration. On August 19, 2014, the ALJ entered a Recommended Order finding the Respondent not guilty of immorality but guilty of misconduct in office. Recommended Order at pp. 16-20. She recommended that the School Board enter a Final Order finding the Respondent guilty of misconduct in office, suspending his employment without pay for a period of ten days, and placing him on probation for a period of one year. Recommended Order at p. 21. 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 September 12, 2014, the Superintendent as Petitioner filed a motion (“Superintendent’s Motion”) requesting that the School Board adopt the Recommended Order and enter a Final Order finding the Respondent guilty of misconduct, suspending his employment without pay for a period of ten days, and placing him on probation for a period of one year.

* * *

Determination

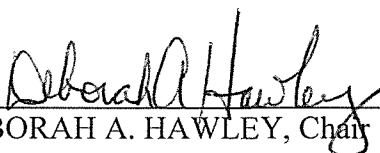
The School Board met on October 14, 2014, in Fort Pierce, St. Lucie County, Florida, to take final agency action. Upon consideration of the Recommended Order and the Superintendent's Motion, the School Board adopts the findings of fact, conclusions of law, and recommendation set forth in the Recommended Order.

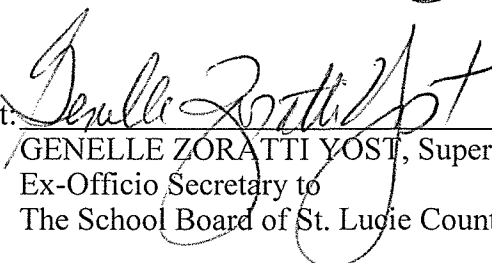
WHEREFORE, IT IS HEREBY ORDERED AND ADJUDGED that the Respondent William Doran be, and he is hereby, (a) found guilty of misconduct in office, (b) suspended without pay from his employment with The School Board of St. Lucie County, Florida, for a period of ten days, and (c) placed on probation for a period of one year, 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 to 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 14th day of October, 2014.

THE SCHOOL BOARD OF ST. LUCIE COUNTY,
FLORIDA

By: 
DEBORAH A. HAWLEY, Chair

Attest: 
GENELLE ZORATTI YOST, Superintendent and
Ex-Officio Secretary to
The School Board of St. Lucie County, Florida

* * *

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
Thomas L. Johnson, Esquire
Daniel B. Harrell, Esquire
Clerk, Division of Administrative Hearings