



THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

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Office of the General Counsel
Barbara J. Myrick, General Counsel
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**The School Board of
Broward County, Florida**

Nora Rupert, Chair
Heather P. Brinkworth, Vice Chair

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December 22, 2017

Robert W. Runcie
Superintendent of Schools

Darren A. Schwartz, Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-1550

RE: Broward County School Board vs. Diane Louise Neville-DOAH Case No.: 17-1180TTS

Dear Judge Schwartz:

For the Division's file, enclosed please find the Final Order concerning the above-referenced matter.

Sincerely,

Barbara J. Myrick

BJM:jcf
Enclosure

C: Robert W. Runcie, Superintendent of Schools
Tria Lawton-Russell, Esq. – Superintendent's Administrative Counsel
Robert F. McKee, Esq.

fritz/allwork/agenda/2017/12-12-17-neville/final order-judge final order

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

BROWARD COUNTY SCHOOL BOARD,

vs. Petitioner, DOAH CASE No.: 17-1180TTS
SSBM Agenda: 12-12-17-1

DIANE LOUISE NEVILLE,

Respondent.

FINAL ORDER

THIS CAUSE came before THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA (hereafter referred to as “THE SCHOOL BOARD”) at its meeting conducted on December 12, 2017, to consider: (1) the Recommended Order entered on October 24, 2017, by the Honorable Darren A. Schwartz, Administrative Law Judge of the State of Florida Division of Administrative Hearings; (2) Respondent’s Exceptions to the Recommended Order and (3) the Petitioner’s response thereto.

IT IS THEREUPON ADJUDGED that:

1. The School Board REJECTS Respondent’s Exception No. 1 to the ALJ’s Finding of Fact No. 19 in the Recommended Order.
2. The School Board REJECTS Respondent’s Exception No. 2 to the ALJ’s Finding of Fact No. 25 in the Recommended Order.
3. The School Board REJECTS Respondent’s Exception No. 3 to the ALJ’s Finding of Fact No. 26 in the Recommended Order.
4. The School Board REJECTS Respondent’s Exception No. 4 to the ALJ’s Conclusion of Law 43, 44, and 45 in the Recommended Order.

5. Having reviewed the record in its entirety, The School Board *sua sponte* reduced the recommended penalty from a 15-day suspension to a 10-day suspension.

6. Further, The School Board, in light of their review of the entire record, ordered that Respondent obtain a Fit for Duty evaluation within 30-days of the Final Order.

7. Except as otherwise noted herein, The School Board adopted the Recommended Order in its entirety, which is incorporated herein by reference (see Recommended Order and Exceptions to the Recommended Order attached hereto as composite Exhibit "A").

DONE AND ORDERED in Fort Lauderdale, Broward County, Florida this 12th day of December 2017.

THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

By Nora Rupert
NORA RUPERT, CHAIR

Filed in Official School Board Records the
21st day of December 2017.

[Signature]
Supervisor, Official School Board Records

Copies Furnished to:

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STATE OF FLORIDA, DIVISION OF
ADMINISTRATIVE HEARINGS
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060

APPEAL OF FINAL ORDER

Pursuant to Section 120.68, Florida Statutes, 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.

fritz/allwork/agenda/2017/050917 SSBM Neville/final order/final order