

THE SCHOOL BOARD OF VOLUSIA COUNTY, FLORIDA

VOLUSIA COUNTY SCHOOL BOARD,

Petitioner,

vs.

DOAH Case No. 18-0394TTS

SUSAN L. JOY,

Respondent.

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**PETITIONER'S FINAL ORDER**

THIS CAUSE came to be heard on the 26<sup>th</sup> day of June, 2018, before the School Board of Volusia County, Florida. The School Board finds as follows:

1. The Respondent, Susan L. Joy (herein, "Respondent"), formerly was employed as a teacher by the Petitioner, School Board of Volusia County ("School Board" or "Petitioner").
2. The School Board terminated the Respondent's employment for cause on January 9, 2018.
3. As a teacher formerly employed by the School District, the Respondent is subject to, and entitled to protections of the collective bargaining agreement between the School Board and the Volusia United Educators (VUE).
4. The Respondent appealed her termination pursuant to the terms of the Contract.
5. In accordance with Section 120.65, Florida Statutes, and the Contract, this cause was referred by the School Board to the Division of Administrative Hearings, who had jurisdiction over the parties and the subject matter of this proceeding. §§ 120.569 and 120.57(1), Fla. Stat. (2005); VUE contract article 23
6. On March 21, 2019, a fact hearing was held on the Respondent's appeal of her termination before Administrative Law Judge R. Bruce McKibben, (herein, "ALJ").
7. At issue at the hearing was whether the School Board had just cause for the Respondent's termination.
8. The ALJ entered a Recommended Order on May 18, 2018. (Attached).
9. The ALJ found in the Recommended Order that the School Board had just cause for the dismissal of

the Respondent.

10. On the basis of that finding, the ALJ recommended that the School Board enter a final order ratifying its previous termination of the Respondent.

11. Neither the Respondent nor the Petitioner has filed exceptions to the Recommended Order. Accordingly, the Board adopts the ALJ's findings of fact, conclusions of law, and the recommendation and incorporates them into this Final Order by reference.

It is accordingly ORDERED as follows:

12. Susan L. Joy's termination of January 9, 2018, from the School District of Volusia County is upheld.

13. This Order may be appealed to the District Court of Appeal of Florida, Fifth District, 300 S. Beach Street, Daytona Beach, Florida, 32114, telephone number (386) 947-1500. The appeal must be filed within thirty (30) days of the date of this Order by filing a Notice of Appeal with the School Board and a copy with the District Court of Appeals. For further information, contact Michael G. Dyer, 200 N. Clara Avenue, DeLand, Florida 32721, telephone number (386) 734-7190.



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Linda Cuthbert  
Chairman of the School Board of Volusia County

Copy sent to:

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