

FILED

DEC 06 2018

**STATE OF FLORIDA
DEPARTMENT OF CHILDREN AND FAMILIES**

DCF Department Clerk

**DEPARTMENT OF CHILDREN AND
FAMILIES,**

Petitioner,
v.

**CASE NO. 18-4682 AND 18-5271
RENDITION NO. DCF-18-280-FO**

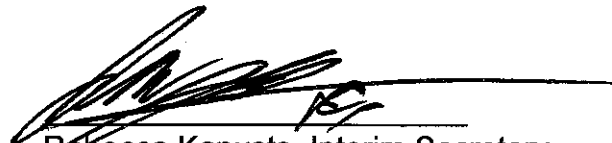
HIGHER LEARNING HOME PRESCHOOL,

Respondent.
_____ /

FINAL ORDER CLOSING FILE

THIS CAUSE is before me for entry of a final order. The Recommended Order, dated November 16, 2018, states the parties entered into a settlement agreement. There are no further issues between the parties. This matter is closed.

DONE AND ORDERED at Tallahassee, Leon County, Florida, this 5
day of December, 2018.



Rebecca Kapusta, Interim Secretary

NOTICE OF RIGHT TO APPEAL

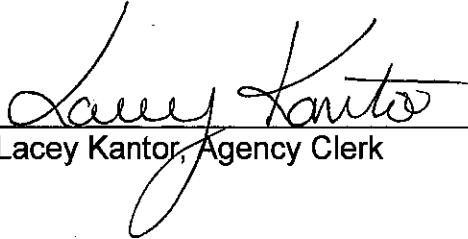
THIS ORDER CONSTITUTES FINAL AGENCY ACTION AND MAY BE APPEALED BY A PARTY PURSUANT TO SECTION 120.68, FLORIDA STATUTES, AND RULES 9.110 AND 9.190, FLORIDA RULES OF APPELLATE PROCEDURE. SUCH APPEAL IS INSTITUTED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF CHILDREN AND FAMILIES AT 1317 WINEWOOD BOULEVARD, BUILDING 2, ROOM 204, TALLAHASSEE, FLORIDA 32399-0700, AND A SECOND COPY ALONG WITH THE FILING FEE AS PRESCRIBED BY LAW, IN THE DISTRICT COURT OF APPEAL WHERE THE PARTY RESIDES OR IN THE FIRST DISTRICT COURT OF APPEAL. THE NOTICE OF APPEAL MUST BE FILED (RECEIVED) WITHIN 30 DAYS OF RENDITION OF THIS ORDER.¹

Copies furnished to the following via U.S. Mail on date of Rendition of this Order.²

Camille Larson, Esq.
Assistant General Counsel
Department of Children and Families
2383 Philips Rd.
Tallahassee, FL 32399

Claudio Llado, Clerk
Division of Administrative Hearings
Three DeSoto Building
1230 Apalachee Parkway
Tallahassee, FL 32301

Regina Smith Dennard
Higher Learning Home Preschool
1220 Rustling Pine Blvd.
Midway, FL 32343



Lacey Kantor, Agency Clerk

¹ The date of the "rendition" of this Order is the date that is stamped on its first page.

² The date of "rendition" of this Order is the date that is stamped on its first page.

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

DEPARTMENT OF CHILDREN AND
FAMILIES,

Petitioner,

vs.

Case Nos. 18-4682
18-5271

HIGHER LEARNING HOME PRESCHOOL,

Respondent.

ORDER CLOSING FILES AND RELINQUISHING JURISDICTION

This cause having come before the undersigned on Petitioner's Stipulated Notice of Settlement and Motion to Cancel Final Hearing and Relinquish Jurisdiction to the Department, filed November 15, 2018, and the undersigned being fully advised in the premises, it is, therefore,

ORDERED that:

1. The motion is GRANTED.
2. The final hearing scheduled for November 27, 2018, is canceled.
3. The files of the Division of Administrative Hearings are closed. Jurisdiction is relinquished to the Department of Children and Families.

DONE AND ORDERED this 16th day of November, 2018, in Tallahassee, Leon County, Florida.

Suzanne Van Wyk

SUZANNE VAN WYK
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(850) 488-9675
Fax Filing (850) 921-6847
www.doah.state.fl.us

Filed with the Clerk of the
Division of Administrative Hearings
this 16th day of November, 2018.

COPIES FURNISHED:

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STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

DEPARTMENT OF CHILDREN AND FAMILIES,
Petitioner,

vs.

Case Nos.: 2018-4682
2018-5271

HIGHER LEARNING HOME PRESCHOOL
Respondent.

SETTLEMENT AGREEMENT

Petitioner, Department of Children and Families (herein after the "Department"), and Respondent, Higher Learning Home Preschool, hereby agree to the following in order to settle this matter:

The parties agree that no benefit will come from further litigation in this matter. Both parties have already incurred a loss of time related to litigation. In order to resolve this matter, the parties agree that the final hearing will be canceled, and the following will occur:

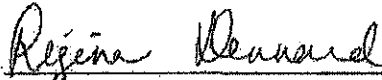
- a. The Department agrees to impose a lesser amount of fines related to the Administrative Complaints at issue in this matter dated July 20, 2018 and September 14, 2018. The total amount of fines to be imposed for both Administrative Complaints will be \$500.00.
- b. The Department agrees to lessen the charge contained in the Administrative Complaint dated September 14, 2018 related to capacity to a Class II violation. All other violations as contained in the Administrative Complaints shall remain the same.
- c. The Respondent does not admit any wrongdoing.
- d. The Respondent agrees that the probationary license shall remain in place for six months with a beginning date of September 14, 2018.
- e. The Respondent will not request further recourse or appellate review of this matter.
- f. All parties agree to incur their own costs and legal fees.



Miatta Jalaber
Florida Department of Children and Families
Northwest Region - Program Safety Manager
Child Care Regulation

11/14/18

Date



Regina Dennard
Owner and Operator
Higher Learning Home Preschool, LLC

Nov. 13, 2018

Date