

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

RONALD D. JONES,

EEOC Case No. 15D202000719

Petitioner,

FCHR Case No. 2020-23534

v.

DOAH Case No. 20-4489

THE SCHOOL BOARD OF
GADSDEN COUNTY,

FCHR Order No. 21-082

Respondent.

**FINAL ORDER DISMISSING PETITION FOR
RELIEF FROM AN UNLAWFUL EMPLOYMENT PRACTICE**

Preliminary Matters

Ronald D. Jones, Petitioner, filed a complaint of discrimination pursuant to the Florida Civil Rights Act of 1992, Sections 760.01 - 760.11, Florida Statutes (2019), alleging that the School Board of Gadsden County, Respondent, committed unlawful employment practices on the basis of Petitioner's race, gender, and age; and on the basis of retaliation.

On September 15, 2020, the Commission issued a Notice of Rights after it could not conciliate or make a reasonable cause determination within 180 days of the complaint being filed.

On October 7, 2020, Petitioner filed a Petition for Relief from an Unlawful Employment Practice. The case was transmitted to the Division of Administrative Hearings for the conduct of a formal proceeding.

On December 16, 2020, a hearing was held before Administrative Law Judge James H. Peterson, III, via Zoom meeting.

On March 30, 2021, Judge Peterson issued a Recommended Order,

The Commission panel designated below considered the record of this matter and determined the action to be taken on the Recommended Order.

Findings of Fact

We find that the Administrative Law Judge's findings of fact are supported by competent and substantial evidence. We adopt the Administrative Law Judge's findings of facts.

Conclusions of Law

We find the Administrative Law Judge's application of the law to the facts to result in a correct disposition of the matter.

Accordingly, we adopt the Administrative Law Judge's conclusions of law.

Exceptions

On April 14, 2021, Petitioner filed a document titled "Objections to DOAH Recommended Order". The document essentially contains arguments in support of Petitioner's contentions without identifying the disputed portions of the Recommended Order by page number or paragraph.

The Administrative Procedure Act states that, "The final order shall include an explicit ruling on each exception, but an agency need not rule on an exception that does not clearly identify the disputed portion of the recommended order by page number or paragraph, that does not identify the legal basis for the exception, or that does not include appropriate and specific citations to the record." Section 120.57(1)(k), Florida Statutes (2018); see, also Taylor v. Universal Studios, FCHR Order No 14-007 (March 26, 2014), McNeil v. HealthPort Technologies, FCHR Order No. 12-026 (June 27, 2012), and Bartolone v. Best Western Hotels, FCHR Order No. 07-045 (August 24, 2007).

Petitioner's document did not identify the disputed portion of the Recommended Order by page number or paragraph, and did not identify the legal basis for the exceptions with appropriate and specific citations to the record. Therefore, Petitioner's exceptions are rejected.

Dismissal

The Petition for Relief and Employment Discrimination Complaint are DISMISSED with prejudice.

The parties have the right to seek judicial review of this Order. The Commission and the appropriate District Court of Appeal must receive notice of appeal within 30 days of the date this Order is filed with the Clerk of the Commission. Explanation of the right to appeal is found in Section 120.68, Florida Statutes, and in the Florida Rules of Appellate Procedure 9.110.

DONE AND ORDERED this 16 day of December, 2021.
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Darrick McGhee, Panel Chairperson;
Commissioner Mario Garza; and
Commissioner Kenyetta Moye.

Filed this 16 day of December, 2021, in Tallahassee, Florida.

Jimmy Barton
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Copies furnished to:

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The School Board Gadsden County
c/o William B. Armstead, Esquire
1319 Thomaswood Drive
Tallahassee, Florida 32308

James H. Peterson, III, Administrative Law Judge, DOAH

John Scotese, Legal Advisor for Commission Panel

I HEREBY CERTIFY that a copy of the foregoing has been mailed to the above listed addressees this 16 day of December, 2021.

By: Jimmy Barton
Clerk of the Commission
Florida Commission on Human Relations