



STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS
OFFICE OF THE JUDGES OF COMPENSATION CLAIMS

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WILTON SIMPSON
COMMISSIONER OF AGRICULTURE

October 20, 2023

Terry Connor
Superintendent
Sarasota County School Board
1960 Landings Boulevard
Sarasota, Florida 34231

RE: Administrative Law Judge Services Contract

Dear Sir or Madam:

The Division of Administrative Hearings (DOAH) has added a new provision regarding the confidentiality of student records to the Administrative Law Judge Services Contract. Your existing Contract with DOAH will remain effective until both parties have signed the enclosed new Contract.

Please return your signed Contract for execution to my attention via mail or by email. If you have questions or require additional information, please contact me at (850) 404-5432 or by email at Patricia.Kenyon@doah.state.fl.us.

Sincerely,

Patricia Kenyon
Operations Manager

Enclosure: New Administrative Law Judge Services Contract

**DIVISION OF ADMINISTRATIVE HEARINGS
ADMINISTRATIVE LAW JUDGE SERVICES CONTRACT**

Sarasota County School Board

THIS CONTRACT is between the Sarasota School Board, hereinafter referred to as "BOARD" and the State of Florida, Division of Administrative Hearings, hereinafter referred to as "DOAH".

WHEREAS, the BOARD, in accordance with Section 1001.30, Florida Statutes, is responsible for the control, organization, and administration of schools, and

WHEREAS, Section 120.65(11), Florida Statutes, provides that the BOARD shall reimburse DOAH for Administrative Law Judge (ALJ) services and travel expenses for hearings required; and

WHEREAS, the provisions of Chapter 120, Florida Statutes, apply in certain proceedings in which the substantial interests of a party are determined by the BOARD; AND

WHEREAS, it has been determined by the BOARD and DOAH that a contractual arrangement for the provision of ALJs is available for the above-stated purpose under the authority of Section 120.65(11), Florida Statutes;

NOW, THEREFORE, the parties hereto, for valuable consideration and the mutual promises between the parties hereto, it is agreed as follows:

1. Scope of Services. DOAH agrees to make ALJs available to BOARD. The ALJs to be provided will be full-time judges employed by the State of Florida, Division of Administrative Hearings. The ALJs to be provided are experts in the adjudication of administrative disputes.

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2. Compensation. The fiscal year 2003-2004 General Appropriations Act, Chapter 2003-397, Laws of Florida, requires DOAH to renegotiate its Contract for ALJ services annually so that the hourly rate charged is based on a total-cost recovery methodology. The rate has been determined to be \$200.00 per hour beginning October 1, 2023. DOAH will notify the BOARD of the amended hourly rate on or about the first day of September of each year. That rate will become effective on the first day of October of that same year. The BOARD agrees to compensate DOAH from the date of the last signature on this contract until October 1, 2023, at the hourly rate of \$200.00 per hour, for each hour actually worked, and subsequently, at the hourly rate determined in accordance with the Florida Legislature's directive. This rate will apply for ALJ services in preparing for hearings, traveling to hearings, conducting hearings, and preparing Recommended Orders.

3. Expenses. The BOARD agrees to pay the actual travel expenses of the assigned ALJ in the amount provided pursuant to Chapter 112, Florida Statutes. DOAH will submit invoices monthly and the BOARD agrees to remit payment monthly in accordance with Chapter 218, Part VII, Florida Statutes. DOAH agrees to provide the BOARD an itemized statement of the charges and costs described in the invoice.

4. Contract Management. Megan S. Silver, Executive Director & Administrative Law Judge, and Patricia Kenyon, Operations Manager, shall provide contract management services under this Contract for DOAH.

5. Term. This Contract is for a term on one (1) year and will begin on the date the last signature is placed on this Contract and will automatically renew for succeeding yearly periods one year from the date last signed. This Contract may be amended from time to time by mutual agreement of the

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parties, and may be terminated by either party for the convenience of that party upon thirty (30) days' written notice.

6. Request for Services. The BOARD, in order to obtain the services of an ALJ, shall initiate a letter to the Chief Judge, Division of Administrative Hearings, requesting the services of an ALJ and shall include with such request a copy of any materials relevant to the request. DOAH shall assign an ALJ promptly after receipt of the letter.
7. Effective Date. This Contract shall become effective on the date the last signature is made.
8. Confidentiality of Student Records. As an educational agency, the School Board is subject to all federal and state laws relating to the confidentiality of student information. Additionally, any record created as a result of a hearing held pursuant to Florida Statutes 1003.57(1)(c) and Florida Statutes 1006.07(1)(a), are confidential and exempt from disclosure under Florida's Public Records Laws.
9. Notices. All notices required or permitted by this Contract shall be in writing, and shall be deemed to have been duly given if mailed first-class, certified postage prepaid, addressed as follows:

State of Florida, Division of Administrative Hearings
Attn: Patricia Kenyon, Operations Manager
1230 Apalachee Parkway
Tallahassee, FL 32399
850-488-9675

**DIVISION OF ADMINISTRATIVE HEARINGS
ADMINISTRATIVE LAW JUDGE SERVICES CONTRACT**

SARASOTA COUNTY SCHOOL BOARD

By: _____ Date: _____

Approved as to Form and Legal Content
by Shumaker, Loop & Kendrick, LLP
Attorneys for The School Board
of Sarasota County, Florida
Signed: MRM
Date: November 7, 2023

STATE OF FLORIDA,
DIVISION OF ADMINISTRATIVE HEARINGS

By:  _____ Date: 10/25/23
Megan S. Silver
Executive Director & Administrative Law Judge