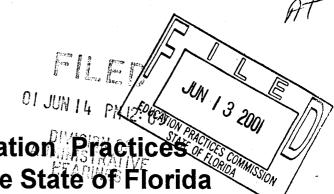
4-27-01





TOM GALLAGHER, as Commissioner of Education,

Petitioner,

VS.

EPC CASE № 00-0790 -RT DOAH CASE № 00-4352PL EPC INDEX № 01- 149 -FOF

CHERYL MULHEARN

Final Order

THIS MATTER was heard by a Teacher Panel of the Education Practices

Commission pursuant to Sections 231.261(8) and 120.57(1), Florida Statutes, on June

8, 2001, in Tampa, Florida, for consideration of the Recommended Order entered in

this case by Suzanne F. Hood, Administrative Law Judge, dated April 20, 2001.

Neither party filed exceptions to the Recommended Order. After reviewing the

complete record accompanying the Recommended Order, and being otherwise fully

advised in the premises, the Panel hereby adopts the findings of fact, conclusions of

law and recommendation contained in the Recommended Order, and said

Recommended Order, a copy of which is attached and made a part hereof, is hereby

adopted in full and becomes the Final Order of the Education Practices Commission,

the counts and Respondent is found NOT GUILTY of the charges in the Administrative

Complaint and the allegations of misconduct set forth in the Administrative Complaint

are hereby DISMISSED.

Final Order Cheryl Mulhearn Page Two

This Order takes effect upon filing with the Clerk of the Education Practices

Commission.

DONE AND ORDERED, this

_day of _.

, 2001.

COPIES FURNISHED TO:

Bureau of Educator Standards

Bureau of Teacher Certification

Florida Administrative Law Reports

Dr. Don Goetz, Superintendent Okaloosa County Schools 120 Lowery Place SE Ft. Walton Beach, FL 32034

Rebecca Spence, Chief Human Resource Officer Okaloosa County Schools

J. David Holder, Attorney at Law

Suzanne F. Hood, Administrative Law Judge Division of Administrative Hearings 1230 Apalachee Parkway Tallahassee, FL 32399-1550

Ann Cole, Clerk Division of Administrative Hearings NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE EDUCATION PRACTICES COMMISSION AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THIS ORDER.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Order in the matter of Gallagher vs. Mulhearn, was furnished to Mary Aspros, Attorney at Law, Meyer & Brooks, P.O. Box 1547, Tallahassee, FL 32302, by U.S. Mail, this 13 day of _______, 2001.

KATHLEEN RICHARDS, Clerk