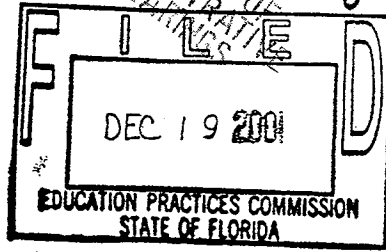


9-20-01



Before the Education Practices Commission of the State of Florida

FILED
01 DEC 20 PM 1:06
DIVISION OF ADMINISTRATIVE SERVICES



CHARLIE CRIST, as
Commissioner of Education,

JHC AT

Petitioner,

vs.

EPC CASE N° 01-0040 -RT
DOAH CASE N° 01-1919PL
EPC INDEX N° 01-229 -FOF

JAMES M. MCMILLAN,

Respondent.

REM-CUS

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 December 14, 2001, in Orlando, Florida, for consideration of the *Recommended Order* entered in this case by Robert E. Meale, Administrative Law Judge, dated September 20, 2001, and corrected by *Order Correcting Scrivener's Error* dated October 15, 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 the *Order Correcting Scrivener's Error*, and said Orders, copies of which are attached and made a part hereof, are hereby adopted in full and become the Final Order of the Education Practices Commission and it is ORDERED that the Administrative Complaint against Respondent is hereby DISMISSED.

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

DONE AND ORDERED, this 14th day of December, 2001.

Margaret Wolfe
MARGARET WOLFE, Presiding Officer

COPIES FURNISHED TO:

Bureau of Educator Standards

Bureau of Teacher Certification

Florida Administrative Law Reports

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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 Crist vs. McMillan, was furnished to Robert F. McKee, Attorney at Law, PO Box 75638, Tampa, FL 33675-0638, by U.S. Mail, this 19th day of December, 2001.

Kathleen Richards
KATHLEEN RICHARDS, Clerk