

5-16-03



Before the Education Practices Commission of the State of Florida

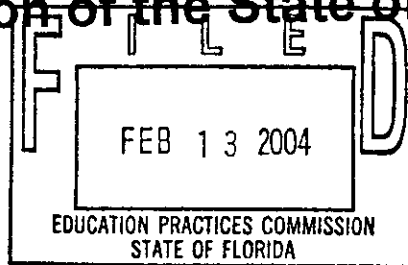
TOM GALLAGHER
Commissioner of Education,

Petitioner,

vs.

GREGORY SCHMIDT,

Respondent



EPC CASE N° 00-0925-RT
DOAH CASE N° 02-2016-PL
EPC INDEX N° 04-031-FOF

AT

LJS-CWS

Final Order

This matter was heard by a Teacher Panel of the Education Practices Commission pursuant to Sections 1012.795, 1012.796 and 120.57(1), Florida Statutes, on January 23, 2004, in Orlando, Florida, for consideration of the Recommended Order entered in this case by Larry J. Sartin, Administrative Law Judge. Neither party filed *Exceptions to 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, (paragraphs 1 - 62), conclusions of law, (paragraphs 63-92), 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.

It is therefore **ORDERED** that Gregory Schmidt has violated Sections 231.2615(l)(c), (f), (i), and (k), Florida Statutes, and Rules 6B-1.006 (5)(d), (o), and 6B-1.006(3)(a) and (c), Florida Administrative Code.

It is further **ORDERED** TAHT HIS Florida Educator's Certificate is permanently revoked. This Order takes effect upon filing with the Clerk of the Education Practices Commission.

DONE AND ORDERED, this 4th day of February, 2004.

Grace Williams
GRACE WILLIAMS, Presiding Officer

COPIES FURNISHED TO:

Bureau of Educator Standards

Bureau of Teacher Certification

Florida Administrative Law Reports

Superintendent
Dade County Schools
1450 NE Second Avenue #912
Miami, FL 33132

Director of Professional Standards
Dade County Schools
1500 Biscayne Blvd., Suite 222
Miami, FL 33132

Charles T. Whitelock, Attorney at Law


Larry J. Sartin
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. Schmidt was furnished to Leslie Meek, United Teachers of Dade, Law Department, 2200, Biscayne Blvd., Fifth Floor, Miami FL 33137 by Certified U.S. Mail, this 13 day of February, 2004.


KATHLEEN RICHARDS
Executive Director