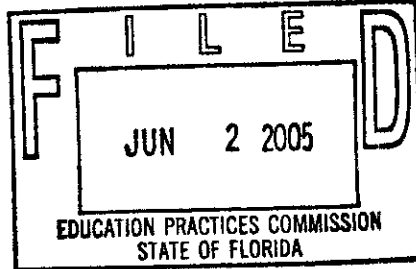


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ASST. CLERK



Before the Education Practices Commission of the State of Florida



CHARLIE CRIST as the
Commissioner of Education,

Petitioner,

vs.

CASE N°: 02-0689-RT
DOAH CASE N° 04-4093PL CSH
EPC Index N° 05-239-FOF closed

NANCY S. LOWERY,

Respondent.

AT

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 May 6, 2005, in Tampa, Florida, for consideration of the Recommended Order entered in this case by Carolyn S. Holifield, Administrative Law Judge, dated March 18, 2005.

Petitioner filed Exceptions to the Recommended Order. These Exceptions were denied.

After reviewing the complete record accompanying the Recommended Order, the Panel hereby adopts the Findings of Fact in paragraphs 1 - 34 of the Recommended Order, a copy of which is attached to and made a part hereof. The Panel further adopts the Conclusions of Law in paragraphs 35 - 53 of ~~the~~ Recommended Order.

The Panel accepts the finding that Respondent is guilty of violating Subsections 231.2615 (1) (i), Florida Statutes, (2001) and Rule 6A-1.006(3)9a), Florida Administrative Code.

It is further Ordered that Ms. Lowery's certificate shall be issued a letter of **reprimand**. It is further ordered:

Upon employment in any public or private position requiring a Florida educator's certificate, she shall be placed on two (2) employment years of probation with the conditions that during that period, she shall:

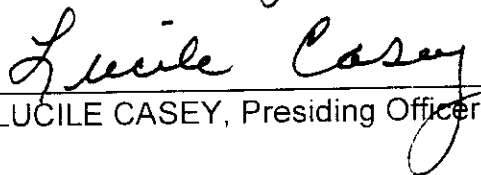
1. Notify the EPC immediately upon employment and immediately upon termination of employment in any public or private position requiring a Florida educator's certificate.
2. Have immediate supervisor submit annual performance reports to the EPC.
3. Violate no law and fully comply with all district school board regulations, school rules, and State Board of Education Rule 6B-1.006, Florida Administrative Code.
4. Satisfactorily perform assigned duties in a competent, professional manner.
5. During the first six months of each probation year, pay to the EPC the sum of \$150.00 to defray the cost of monitoring probation during that year.
6. Bear all costs of complying with the terms of this probation.

7. Provide a certified college transcript to verify successful (a grade of 'B' or higher) completion of three (3) hours of college level course work in the area of Classroom Management within the first year of probation. No correspondence or on line courses may be used.

Ms. Lowery is also notified that Section 1012.795 (6) (b), Florida Statutes, requires permanent revocation of an educator's certificate under certain circumstances when the educator's certificate has been sanctioned by the Education Practices Commission on two (2) separate occasions.

This Order becomes effective upon filing.

DONE AND ORDERED, this 18 day of May, 2005.


LUCILE CASEY, Presiding Officer

COPIES FURNISHED TO:

Bureau of Professional Practices

Bureau of Teacher Certification

Florida Administrative Law Reports

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**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 v. LOWERY furnished to Nancy Lowery, 6033 Oak Bend St., Apt. 11203, Orlando, Florida 32835 by U.S. Mail this 2 day of June, 2005.


KATHLEEN RICHARDS
Executive Director