

RECEIVED
FEB 28 2008
OFFICE OF THE GENERAL COUNSEL
STATE OF FLORIDA
DEPARTMENT OF EDUCATION
FILED

STATE OF FLORIDA
DEPARTMENT OF EDUCATION

2008 MAR 10 A 11:46

DANIEL B. GOPMAN,

Petitioner,

vs.

DEPARTMENT OF EDUCATION,

Respondent.

DOE Case No. ~~DOE-2004-972~~
DOAH Case No. 05-3583

DIVISION OF
ADMINISTRATIVE
HEARINGS
FILED
AGENCY CLERK
FEB 26 P 2:51
DEPT OF EDUCATION
TALLHASSEE FL

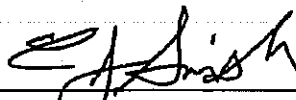
FINAL ORDER

This matter was initiated by the petition for hearing filed by Daniel B. Gopman (Petitioner), following the determination in *Gopman v. Florida Department of Education*, 908 So. 2d 1118 (Fla. 1st DCA 2005) that the Petitioner was entitled to an administrative hearing to determine his eligibility for a Bright Futures Scholarship. A formal hearing was held on November 14 and 15, 2006; January 30, 2007; and June 19, 2007 at video teleconference sites in Tallahassee and Miami, Florida. In a Recommended Order issued on January 25, 2008, Administrative Law Judge John G. Van Laningham recommended that the Department issue a final order denying the Petitioner's application for a Bright Futures scholarship because the Petitioner failed to meet the foreign language requirement of that scholarship. The parties did not file any exceptions.

A copy of the Recommended Order, attached to and made a part hereof, is hereby adopted in full and becomes the Final Order in this matter.

Based on the foregoing, the Department of Education finds that Daniel B. Gopman's application for a Bright Futures scholarship and his petition in this matter is hereby denied.

DONE AND ORDERED this 26 day of February 2008, in Tallahassee, Florida.



ERIC J. SMITH
Commissioner of Education

FILED with the Agency Clerk of the Department of Education this 26 day of February, 2008.



AGENCY CLERK

NOTICE OF RIGHTS

Any party to this proceeding has the right to seek judicial review of this Order under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Agency Clerk and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within thirty days after this order is filed with the clerk of the Department. Failure to make a timely appeal will result in waiver of the right of judicial review in this matter.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to:

Miles J. Gopman
200 Towerside Terrace
Unit 1208, Quayside Tower II
Miami, Florida 33138

Daniel B. Gopman
c/o Miles J. Gopman
200 Towerside Terrace
Unit 1208, Quayside Tower II
Miami, Florida 33138

Margaret O'Sullivan Parker
Florida Department of Education
Office of the General Counsel
325 West Gaines Street
Suite 1244
Tallahassee, Florida 32399-0400

Luis M. Garcia
Miami-Dade County School Board
1450 Northeast Second Avenue
Suite 400
Miami, Florida 33132

this 27 day of February, 2008.


AGENCY CLERK