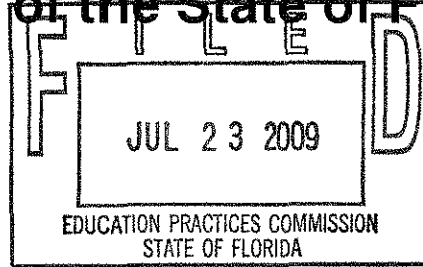




Before the Education Practices Commission of the State of Florida



JOHN L. WINN
Commissioner of Education,

Petitioner,

vs.

DANIEL GARDINER,

Respondent

EPC CASE N° 07-0335-RT
DOAH CASE N° 08-6171PL
EPC INDEX N° 07-419-FOF
PPS N° 045-3295-T
CERTIFICATE N° 726297

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 June 12, 2009 in Tallahassee, Florida, for consideration of the Recommended Order entered in this case by Lisa Shearer Nelson, Administrative Law Judge dated April 17, 2009. Respondent was not present.

After reviewing the complete record accompanying the Recommended Order, the Recommended Order, and being fully advised in the premises, the Commission hereby adopts the findings of fact, (paragraphs 1-13), conclusions of law, (paragraphs 14-31), and the recommendation contained in the Recommended Order. A copy of the Recommended Order, attached to 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:

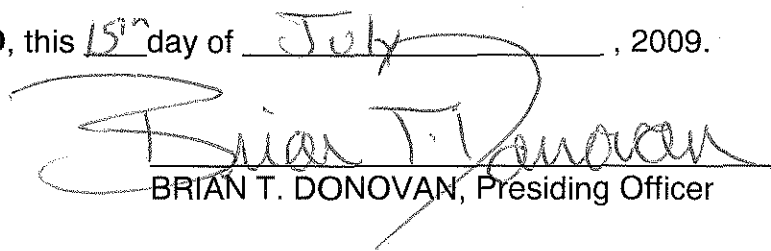
1. Respondent is barred from applying for another Florida educator's certificate for 6 months from the date of this Final Order.

2. Respondent is assessed an administrative fine of \$500.00 to be paid prior to Respondent's re-application or re-certification.

3. Respondent is hereby issued a letter of reprimand.

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

DONE AND ORDERED, this 15th day of July, 2009.


BRIAN T. DONOVAN, Presiding Officer

COPIES FURNISHED TO:

Bureau of Professional Practices

Bureau of Teacher Certification

Florida Administrative Law Reports

Superintendent
Alachua County Schools
620 E. University Ave.
Gainesville, FL 32601-5498

Supervisor of Personnel
Alachua County Schools
620 E. University Ave.
Gainesville, FL 32601-5498

Matthew K. Foster, Attorney at Law

Ronald G. Stowers
DOE counsel for PPS

Daniel Biggins
Assistant Attorney General

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.

Final Order
Daniel Gardiner
Page 3

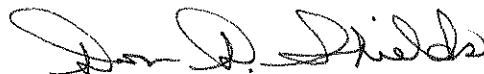
Lisa Shearer Nelson
Administrative Law Judge
Division of Administrative Hearings
1230 Apalachee Parkway
Tallahassee, FL 32399-1550

Claudia Llado, Clerk
Division of Administrative Hearings

Probation Office

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Order was furnished to Daniel Gardiner, 504 NW 97th Terrace, Gainesville, Florida 32607 by Certified U.S. Mail this 23 day of July, 2009.



DON D. SHIELDS
Education Practices Commission