



# Before the Education Practices Commission of the State of Florida

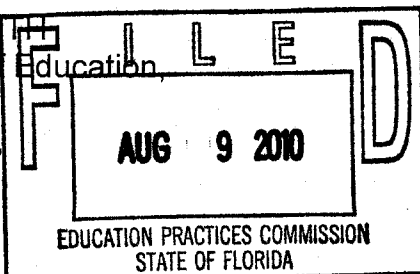
DR. ERIC J. SMITH  
Commissioner of Education,

Petitioner,

vs.

MICHAEL A. SIMMONS,

Respondent



EPC CASE N° 09-0572-RT  
DOAH CASE N° 09-6513PE  
INDEX N° 10-225-FFP  
PPS N° 078-3123-T  
CERTIFICATE N° 1045332

DIVISION OF  
ADMINISTRATIVE  
HEARINGS

2010 AUG 11 AM 11:13

FILED

## 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 25, 2010 in Tallahassee, Florida, for consideration of the Recommended Order entered in this case by Jeff B. Clark, Administrative Law Judge dated April 29, 2010. Respondent was 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 1-10), conclusions of law, (paragraphs 11-17), 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.

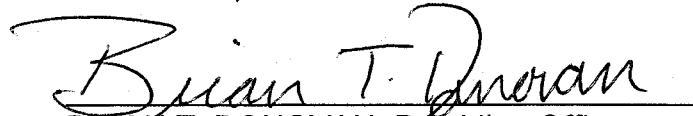
It is therefore **ORDERED** that:

Respondent is not guilty of the violations alleged in the Administrative Complaint.

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

Commission.

DONE AND ORDERED, this 5<sup>th</sup> day of August, 2010.

  
BRIAN T. DONOVAN, Presiding Officer

COPIES FURNISHED TO:

Bureau of Professional Practices

Bureau of Teacher Certification

*Florida Administrative Law Reports*

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Jeff B. Clark  
Administrative Law Judge  
Division of Administrative Hearings  
1230 Apalachee Parkway  
Tallahassee, FL 32399-1550

**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.

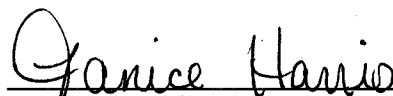
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Michael A. Simmons  
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Claudia Llado, Clerk  
Division of Administrative Hearings

Probation

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing Order was furnished to Michael A. Simmons, 6004 Westgate Drive, #102, Orlando, Florida 32835 by Certified U.S. Mail this 9<sup>th</sup> day of August, 2010.

  
\_\_\_\_\_  
JANICE HARRIS  
Education Practices Commission