



Before the Education Practices Commission of the State of Florida

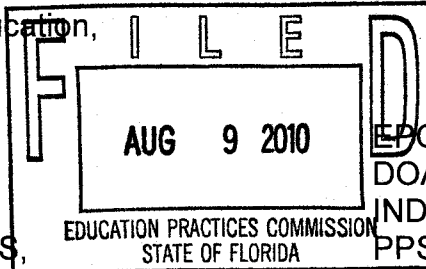
DR. ERIC J. SMITH
Commissioner of Education,

Petitioner,

vs.

TERRANCE THOMAS,

Respondent



EPC CASE N° 09-0600-RT
DOAH CASE N° 09-6781PL
INDEX N° 10-226-100F
PPS N° 089-2333
CERTIFICATE N° 798852

2010 AUG 11 13
FILED
ADMINISTRATIVE
DIVISION

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 J.D. Parrish, Administrative Law Judge dated April 28, 2010. Respondent was not present, but was represented by counsel.

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 1-12), conclusions of law, (paragraphs 13-25) contained in the Recommended Order. The Commission modified the Recommendation based on the negative effect of Respondent's conduct on the student, noted in paragraphs 3, 7, 9 and 10 of the Recommended Order. A copy of the Recommended Order is attached to and made a part hereof.

It is therefore **ORDERED** that:

1. Respondent's Florida educator's certificate is hereby suspended for a period of

1 year.

2. Prior to returning to the classroom, the Respondent shall:

A. Provide written verification from an RNP approved, licensed Florida provider that the educator poses no threat to children and is capable of assuming the responsibilities of an educator.

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

A. Immediately notify the investigative office in the Department of Education upon employment or termination of employment in the state in any public or private position requiring a Florida educator's certificate.

B. Have Respondent's immediate supervisor submit annual performance reports to the investigative office in the Department of Education.

C. Pay to the Commission during the first 6 months of each probation year the administrative costs (\$150) of monitoring probation assessed to the educator.

D. Violate no law and shall fully comply with all district school board policies, school rules, and State Board of Education rules.

E. Satisfactorily perform all assigned duties in a competent, professional manner.

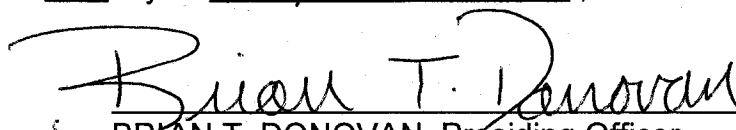
F. Bear all costs of complying with the terms of a final order entered by the Commission.

G. Provide a certified college transcript to verify successful (a grade of "pass" or a letter grade no lower than a "B") completion of 3 hours of college level course-work in the area(s) of Ethics which may be taken online.

M. Respondent is assessed an administrative fine of \$2,000.00 to be paid within the probation period.

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

DONE AND ORDERED, this 5th day of August, 2010.


BRIAN T. DONOVAN, Presiding Officer

COPIES FURNISHED TO:

Bureau of Professional Practices

Bureau of Teacher Certification

Florida Administrative Law Reports

Superintendent
Volusia County Schools
P.O. Box 2118
DeLand, FL 32721-2118

Director, Professional Standards
Volusia County Schools
P.O. Box 2118
DeLand, FL 32721-2118

DOE counsel for PPS

Ronald Weaver, Attorney at Law

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
Terrance Thomas
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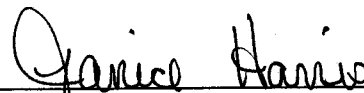
J.D. Parrish
Administrative Law Judge
Division of Administrative Hearings
1230 Apalachee Parkway
Tallahassee, FL 32399-1550

Claudia Llado, Clerk
Division of Administrative Hearings

Probation

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Order was furnished to Terrance Thomas, 13 Brownstone Lane, Palm Coast, Florida 32137; and Joan Stewart, FEA, 300 East Park Avenue, Tallahassee, Florida 32301 by Certified U.S. Mail this 9th day of August, 2010.



JANICE HARRIS
Education Practices Commission