



Before the Education Practices Commission of the State of Florida

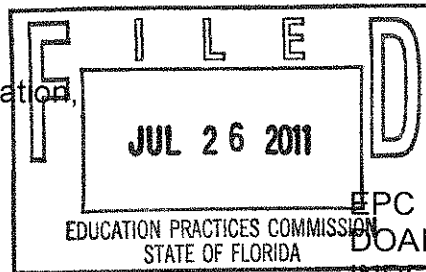
DR. ERIC J. SMITH
Commissioner of Education,

Petitioner,

vs.

MARY DWYER,

Respondent



EPC CASE N° 10-0025-RT

DOAH CASE N° 10-9921PL

INDEX N° 11-263-FOF

PPS N° 089-1850

CERTIFICATE N° 798892

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 23, 2011 in Tallahassee, Florida, for consideration of the Recommended Order entered in this case by Susan B. Harrell, Administrative Law Judge dated April 11, 2011. 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 1-13), conclusions of law, (paragraphs 14-21), 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 hereby issued a letter of reprimand.
2. 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, she 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 of Adolescent Child Development, which may be taken online.

H. Respondent is assessed an administrative fine of \$500.00 to be paid within the first year of probation.

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

DONE AND ORDERED, this 21 day of **July**, 2011.



DAVID R. THOMPSON Presiding Officer

COPIES FURNISHED TO:

Bureau of Professional Practices

Bureau of Teacher Certification

Florida Administrative Law Reports

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Tampa, FL 33601-3408

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Administrative Law Judge
Division of Administrative Hearings
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Claudia Llado, Clerk
Division of Administrative Hearings

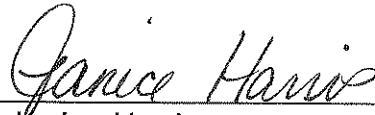
Probation

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 was furnished to Mary Dwyer, 603 Highview Terrace North, Brandon, Florida 33510-2446; and by electronic mail to Margaret O'Sullivan Parker, Deputy General Counsel, Suite 1232, Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399-0400 and to Todd P. Resavage, Esquire, 909 East Park Avenue, Tallahassee, Florida 32301 this **26th** day of **July**, 2011.



Janice Harris,
Education Practices Commission