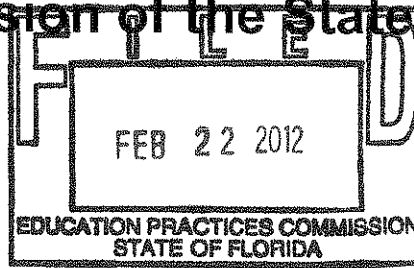




# Before the Education Practices Commission of the State of Florida



DR. ERIC J. SMITH,  
Commissioner of Education,

Petitioner,

vs.

JAMES KING MCINTYRE,

Respondent

EPC CASE N° 11-0295-RT  
DOAH CASE N° 11-3431PL  
INDEX N° 12-061-FOF  
PPS N° 101-1290  
CERTIFICATE N° 726067

## 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 January 27, 2012, in Jacksonville, Florida, for consideration of the Recommended Order entered in this case by E. Gary Early, Administrative Law Judge, dated November 18, 2011. Respondent was not present.

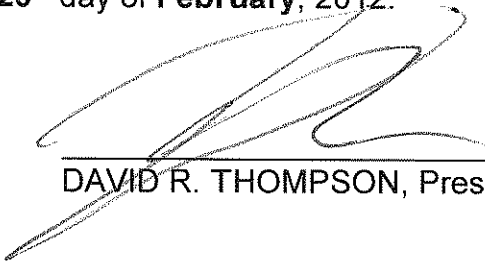
After reviewing the complete record accompanying the Recommended Order, the Recommended Order, and being fully advised in the premises, the Commission hereby adopts the findings of fact, (paragraphs 1-30), conclusions of law, (paragraphs 31-49), and the recommendation contained in the Recommended Order. 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:

The Administrative Complaint is hereby Dismissed.

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

**DONE AND ORDERED**, this 20<sup>th</sup> day of **February**, 2012.



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DAVID R. THOMPSON, Presiding Officer

**COPIES FURNISHED TO:**

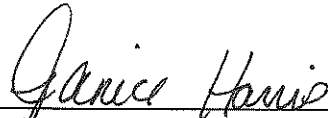
- Bureau of Professional Practices
- Bureau of Teacher Certification
- Florida Administrative Law Reports*
- Superintendent  
Nassau County Schools  
1201 Atlantic Ave.  
Fernandina Beach, FL 32034-3499
- Daniel Biggins  
Assistant Attorney General
- E. Gary Early  
Administrative Law Judge  
Division of Administrative Hearings  
1230 Apalachee Parkway  
Tallahassee, FL 32399-1550
- 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 James King McIntyre, 1009 White Street, Fernandina Beach, Florida 32034 and Lynn C. Hearn, Post Office box 1547, Tallahassee, Florida 32302 by Certified U.S. Mail 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 J. David Holder, Esquire, 40 Grand Flora Way, Santa Rosa Beach, Florida 32459 this 22<sup>nd</sup> day of February, 2012.



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Janice Harris,  
Education Practices Commission