



Before the Education Practices Commission of the State of Florida

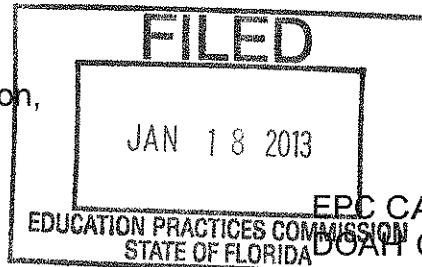
JEANINE BLOMBERG,
Commissioner of Education,

Petitioner,

vs.

JOHN MARK POMAR,

Respondent



EPC CASE N° 09-0162-RT

DOAH CASE N° 12-0797PL

INDEX N° **12-386-FOF**

PPS N° 067-0544-A

CERTIFICATE N° 386817

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 December 13, 2012, in Tallahassee, Florida, for consideration of the Recommended Order entered in this case by Todd P. Resavage, Administrative Law Judge dated October 24, 2012. Respondent was not present but was represented by counsel.

Respondent filed one exception to the Findings of Fact. The Commission moved to deny the exception because there was competent and substantial evidence in the record to support the findings of the Administrative Law Judge and the proceeding complied with essential requirements of law.

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 1-36), conclusions of law, (paragraphs 37-71), 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 Respondent's Florida educator's certificate is hereby suspended for a period of 2 years from the date of the Final Order.

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

DONE AND ORDERED, this 17th day of **January**, 2013.



MARK STRAUSS, Presiding Officer

COPIES FURNISHED TO:

Bureau of Professional Practices

Bureau of Teacher Certification

Florida Administrative Law Reports

Superintendent
Indian River County Schools
1990 25th St.
Vero Beach, FL 32960-3395

Assistant Superintendent, Personnel
Indian River County Schools
1990 25th St.
Vero Beach, FL 32960-3395

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
John Mark Pomar
Page 3

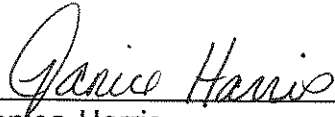
Todd P. Resavage
Administrative Law Judge
Division of Administrative Hearings
1230 Apalachee Parkway
Tallahassee, FL 32399-1550

Claudia Llado, Clerk
Division of Administrative Hearings

Probation

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Order was furnished to John Mark Pomar St. Augustine, Florida 32086 and Joan Stewart, FEA, 213 South Adams Street, Tallahassee, Florida 32301 by 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 Ron Weaver, Esquire, P.O. Box 5675, Douglasville, Georgia 30154 this 18th day of January, 2013.



Janice Harris,
Education Practices Commission