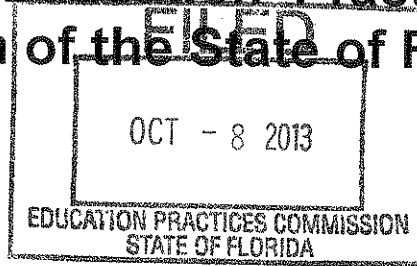




Before the Education Practices Commission of the State of Florida



PAM STEWART,
Commissioner of Education,

Petitioner,

vs.

ERICH HAMACHER,

Respondent

EPC CASE N^o: 13-0098-RT
DOAH CASE N^o: 13-0789PL
INDEX N^o: **13-254-FOF**
PPS N^o: 101-2466
CERTIFICATE N^o: 749876

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 September 13, 2013, in Tallahassee, Florida, for consideration of the Recommended Order entered in this case by Lisa Shearer Nelson, Administrative Law Judge dated July 9, 2013. Respondent was present and represented by counsel.

Petitioner filed a Motion to Enhance Recommended Penalty. A copy of that Motion is attached and incorporated by reference. After reviewing the complete record accompanying the Recommended Order, the Recommended Order, and being fully advised in the premises, the Commission rules on the Motion as follows:

Petitioner's Motion to Enhance Recommended Penalty is hereby denied.

The Commission hereby adopts the findings of fact, (paragraphs 1-26), conclusions of law, (paragraphs 27-43), 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. 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, 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 20 hours of college level course-work in the area of Professional Enhancement or equivalent in-service courses within the two years of probation.

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

DONE AND ORDERED, this 4th day of **October**, 2013.



MARK STRAUSS, Presiding Officer

COPIES FURNISHED TO:

Bureau of Professional Practices
Bureau of Teacher Certification
Florida Administrative Law Reports

Superintendent
Columbia County Schools
PO Box 1148
Lake City, FL 32056-1148

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DOE counsel for PPS

Rachel Clark
Assistant Attorney General

Lisa Shearer Nelson
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.

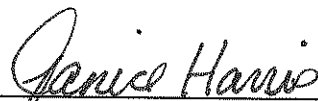
Final Order
Erich Hamacher
Page 4

Claudia Llado, Clerk
Division of Administrative Hearings

Probation

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Order was furnished to Erich Hamacher, 12425 Northwest 46th Avenue, Gainesville, Florida 32606 and Joan Stewart, FEA, 213 South Adams Street, Tallahassee, Florida 32301 by Certified U.S. Mail and by electronic mail to Paul Rendleman, Assistant General Counsel, Suite 1232, Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399-0400 and J. David Holder, Esquire, 387 Lakeside Drive, DeFuniak Springs, Florida 32435 this 8th day of **October**, 2013.



Janice Harris,
Education Practices Commission