



Before the Education Practices Commission of the State of Florida

PAM STEWART,
Commissioner of Education,

Petitioner,

vs.

ELIJAH MARK RICHARDSON,

Respondent.



EPC CASE N° 16-0022-RT
DOAH CASE N° 17-6388PL
PPS N° 123-2574
CERTIFICATE N° 696450
INDEX N°: 18-305-FOF

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 14, 2018, in Altamonte Springs, Florida, for consideration of the Recommended Order (RO) entered in this case by F. SCOTT BOYD, Administrative Law Judge. Respondent was present and represented. Petitioner was represented by Charles T. Whitelock, Esq. Attached hereto as Exhibit A is a copy of Respondent's Exceptions. Attached hereto as Exhibit B is a copy of Petitioner's Exception to the Penalty. Attached hereto as Exhibit C is a copy of Petitioner's Response to Respondent's Exceptions to the Recommended Order and Penalty. Attached hereto as Exhibit D is a copy of Respondent's Response (With Correction) to Petitioner's Response to Respondent's Exceptions.

Ruling on Exceptions

Exception No. 1: Respondent filed an exception to the conclusion of law on page 19, paragraphs 46-48, of the Recommended Order that Respondent violated Rule 6B-1.006(3)(a), F.A.C. There is competent substantial evidence in the record to support the conclusion of law. The exception is rejected.

Exception No. 2: Respondent filed an exception to the conclusion of law on page 20, paragraphs 49-50, of the Recommended Order that Respondent violated Rule 6B-1.006(3)(e), F.A.C. There is competent substantial evidence in the record to support the conclusion of law. The exception is rejected.

Respondent filed an exception to the penalty in the recommendation. The exception is rejected.

Petitioner filed an exception to the penalty in the recommendation. The exception is rejected.

Findings of Fact

1. The Panel hereby adopts the findings of fact in the Recommended Order. There is competent substantial evidence to support these findings of fact.

Conclusions of Law

1. The Education Practices Commission has jurisdiction of this matter pursuant to Section 120.57(1), Florida Statutes, and Chapter 1012, Florida Statutes.

2. The Panel hereby adopts the conclusions of law in the Recommended Order.

Penalty

Upon a complete review of the record in this case, 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 1 employment year 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.

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

DONE AND ORDERED, this 29th day of June, 2018.




NICHOLAS PIETKIEWICZ, Presiding Officer

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 mailed to ELIJAH MARK RICHARDSON, 335 City View Drive, Fort Lauderdale, FL 33311 and Emily Moore, FEA, 213 South Adams Street, Tallahassee, FL 32301 by Certified U.S. Mail and by electronic mail to Darby Shaw, Deputy General Counsel, Suite 1232, Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399-0400 and Charles T. Whitelock, Esq., 300 Southeast 13th Street, Suite E, Ft. Lauderdale, FL 33316-1924 on this 29th day of June, 2018.



Lisa Forbess, Clerk
Education Practices Commission

COPIES FURNISHED TO:

Office of Professional Practices Services

Bureau of Educator Certification

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Claudia Llado, Clerk
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Probation