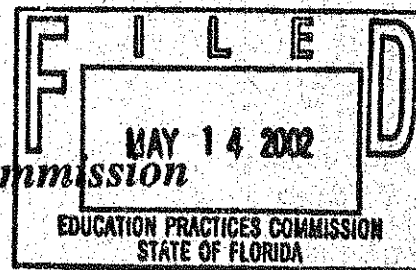




*Before the Education Practices Commission
of the State of Florida*



Final Order

IN RE: Administrative Complaint seeking
disciplinary action against the Teacher's
Certificate of Patrick Mulligan.

CASE NO. 02-0329-RT
EPC INDEX NO. 02-113 -FON

FINAL ORDER

An Administrative Complaint seeking disciplinary action against the teacher's certificate of Respondent, Patrick Mulligan, was filed by Charlie Crist, as Commissioner of Education on February 13, 2002.

Respondent, holder of Florida teacher's certificate number 267842, was served with a copy of the Administrative Complaint. Respondent has filed an answer to the Administrative Complaint stating that he did not wish to contest the charges, that he waived any further rights to due process or a public hearing, that he surrendered his certificate for permanent revocation, and that all his actions were free and voluntary.

The Administrative Complaint and the answers are incorporated as part of this Order.

In consideration of the foregoing, the Education Practices Commission, as empowered by F.S. 231.262(1980), hereby PERMANENTLY REVOKES teachers certificate number, 267842, held by Patrick Mulligan.

Reapplication will not be considered.

Final Order
Re: Patrick Mulligan
Page Two

DONE AND ORDERED, this 8th day of May 2002.

Joan Brummond
Chairperson

I HEREBY CERTIFY that a copy of the foregoing Order in the matter of Charlie Crist vs Patrick Mulligan was furnished to Patrick Mulligan, [REDACTED] Pocatello, Idaho 83201, on this 14 day of May 2002, by Certified U. S. Mail.

Kathleen M. Richards
KATHLEEN M. RICHARDS, Clerk

COPIES FURNISHED TO:

Bureau of Educator Standards

Bureau of Teacher Certification

Rivers Buford, Esquire
Attorney General's Office

Florida Administrative Law Reports
P. O. Box 385
Gainesville, Florida 32602

Superintendent, Brevard County Schools
2700 Judge Fran Jamieson Way
Viera, Florida 32940-6699

Human Resources
Brevard County Schools
2700 Judge Fran Jamieson Way
Viera, Florida 32940-6699

ELECTION OF RIGHTS

RECEIVED

MAR 19 2002

Petitioner,
CHARLIE CRIST, Commissioner of Education,

vs.

Respondent
PATRICK JERRY MULLIGAN

File No. 001-1284-M COMMISSIONER OF EDUCATION

Signify your election by checking the appropriate option:

- 1. FORMAL HEARING OPTION I dispute the allegations of the Administrative Complaint and I request a Formal Hearing before a Hearing Officer of the Division of Administrative Hearings.

The allegations I dispute are:

- a. _____
 - b. _____
 - c. _____
- Attach additional sheet(s) if needed.

- 2. INFORMAL HEARING OPTION I do not dispute the allegations of the Administrative Complaint and request an Informal Hearing before the Education Practices Commission.

- 3. SURRENDER OPTION I voluntarily surrender my certificate(s) for permanent revocation.

- 4. SETTLEMENT OPTION I request a forty-five (45) day period of time to try to negotiate a settlement with the Office of Professional Practices Services at (850) 488-2481. If an agreement is not reached within the forty-five (45) day period, the case will be scheduled for an Informal or Formal Hearing (if Formal Hearing is checked, please list the disputed allegations in 1a, b, and c). If neither Informal nor Formal is checked above, the action will be scheduled for an Informal Hearing.

I understand that I will be given notice of any date set for a Formal or Informal Hearing. I have read the Explanation of Rights, fully understand and/or have been advised of my legal rights. (If you do not understand your options, contact the Office of Professional Practices Services at (850) 488-2481.)

(EXECUTION BEFORE A NOTARY PUBLIC NOT REQUIRED IF CHOOSING OPTION 1)

Signature of Respondent *Patrick Jerry Mulligan*

Street Address [Redacted]

City *POCATELLO ID*

Telephone No. [Redacted]

STATE OF ~~FLORIDA~~ IDAHO
COUNTY OF BANKS
The foregoing instrument was acknowledged before me this 12 day of MARCH, 2002

by PATRICK JERRY MULLIGAN
(Print Respondent's Name)

Signature of Notary Public
[Signature]
MY COMMISSION EXPIRES: JUNE 17 02

Personally Known or Produced Identification U.S. PASSPORT
Type of Identification Produced OKAY Print, Type or Stamp Commissioned Name of Notary Public

CARLA A. LYTLE
NOTARY PUBLIC
STATE OF IDAHO

**STATE OF FLORIDA
EDUCATION PRACTICES COMMISSION**

**CHARLIE CRIST, as
Commissioner of Education,**

Petitioner,

vs.

CASE NO. 001-1264-M

PATRICK JERRY MULLIGAN,

Respondent.

ADMINISTRATIVE COMPLAINT

Petitioner, Charlie Crist, as Commissioner of Education, files this Administrative Complaint against Patrick Jerry Mulligan. The Petitioner seeks the appropriate disciplinary sanction of the Respondent's educator's certificate pursuant to Sections 231.262 and 231.2615, Florida Statutes, and pursuant to Rule 6B-1.006, Florida Administrative Code, Principles of Professional Conduct for the Education Profession in Florida, said sanctions specifically set forth in Sections 231.262(6) and 231.2615(1), Florida Statutes.

The Petitioner alleges:

JURISDICTION

1. The Respondent holds Florida Educator's Certificate 267842, covering the areas of English and English to Speakers of Other Languages (ESOL), which is valid through June 30, 2005.
2. At all times pertinent hereto, the Respondent was employed as an English Teacher at Jackson Middle School in the Brevard County School District.

MATERIAL ALLEGATIONS

3. On or about February 6, 2001, Respondent possessed and was under the influence of alcohol at school. On or about February 7, 2001, Respondent's principal placed him on administrative leave with pay pending investigation. On or about February 9, 2001, Respondent resigned his position.

STATUTORY VIOLATIONS

COUNT 1: The allegations of misconduct set forth herein are in violation of Section 231.2615(1)(c), Florida Statutes, in that Respondent has been guilty of gross immorality or an act involving moral turpitude.

COUNT 2: The allegations of misconduct set forth herein are in violation of Section 231.2615(1)(f), Florida Statutes, in that Respondent, upon investigation, has been found guilty of personal conduct which seriously reduces his effectiveness as an employee of the school board.

WHEREFORE, the Petitioner recommends that the Education Practices Commission impose an appropriate penalty pursuant to the authority provided in Sections 231.262(6) and 231.2615(1), Florida Statutes, which penalty may include a reprimand, probation, restriction of the authorized scope of practice, administrative fine, suspension of the teaching certificate not to exceed three years, permanent revocation of the teaching certificate, or combination thereof, for the reasons set forth herein, and in accordance with the Explanation and Election of Rights forms which are attached hereto and made a part hereof by reference.

EXECUTED on this 13 day of February, 2002.



Charlie Crist, as
Commissioner of Education,
State of Florida