



Before the Education Practices Commission of the State of Florida

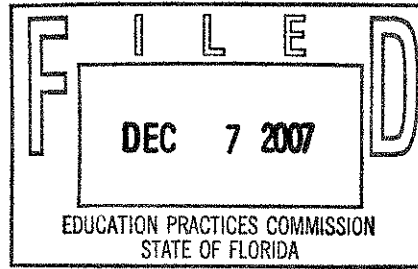
JOHN L. WINN as the
Commissioner of Education,

Petitioner,

vs.

DOUGLAS DUPONT,

Respondent.



CASE N^o: 07-0317-RT
EPC Index N^o 07-480-FOI

Final Order

Respondent, Douglass Dupont, holds Florida educator's certificate no. 430238. Petitioner has filed an Administrative Complaint seeking suspension, revocation, permanent revocation or other disciplinary action against the certificate. A copy of the Administrative Complaint is attached to and made a part of this Order.

Service of the Administrative Complaint was made upon Respondent by publication. Respondent has failed to respond to the Administrative Complaint and has not requested a hearing or any other proceeding.

This cause came before a teacher panel of the Education Practices Commission on October 26, 2007, in Jacksonville, Florida. Respondent was not present at the meeting.

The Commission finds that Respondent was properly served with the Administrative Complaint, has failed to respond timely, and has waived any right to be heard.

Since Respondent has not replied to the Administrative Complaint and has not contested the factual allegations, Petitioner offered the investigative file into evidence to prove the facts as alleged in the Administrative Complaint. The Commission finds these materials clearly and convincingly support the allegation and establish a prima facie case.

FINDINGS OF FACT

The allegations of fact in paragraphs 1 through 3 of the Administrative Complaint are adopted as findings of fact by the panel.

CONCLUSIONS OF LAW

1. The conclusions of law alleged in counts 1 through 7 of the Administrative Complaint are adopted as conclusions of law by the panel.
2. There is competent, substantial evidence to support the panel's conclusions.
3. The violations committed by Respondent warrant disciplinary action by the Education Practices Commission.

PENALTY

Upon consideration, it is ORDERED:

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 3 employment years 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.

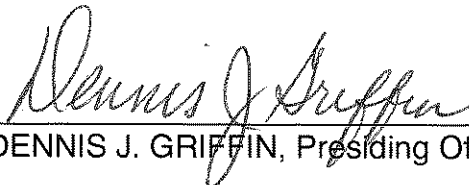
F. Bear all costs of complying with the terms of a final order entered by the Commission.

G. Provide written verification from an RNP approved, licensed Florida provider that the educator poses no threat to children and is capable of assuming the responsibilities of an educator.

H. Respondent is assessed an administrative fine of \$1,000.00 to be paid within the first year of probation.

This order shall become effective upon filing with the Clerk of the Commission.

DONE AND ORDERED, this 4 day of December, 2007.



DENNIS J. GRIFFIN, Presiding Officer

COPIES FURNISHED TO:

Bureau of Professional Practices

Bureau of Teacher Certification

Florida Administrative Law Reports

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

Assistant Superintendent
Human Resources
Brevard County Schools
2700 Judge Fran Jamieson Way
Viera, FL 32940-6699

Ronald G. Stowers,
DOE Counsel for PPS

Daniel Biggins
Assistant Attorney General

Recovery Network Program
for Educators


Probation Office

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 Douglass Dupont, [REDACTED] Germantown, Maryland 20874 - 4475 by Certified U.S. Mail this 7th day of December, 2007.



DON D. SHIELDS,
Education Practices Commission

**STATE OF FLORIDA
EDUCATION PRACTICES COMMISSION**

**JOHN L. WINN, as
Commissioner of Education,**

Petitioner,

vs.

CASE NO. 056-0365-A

DOUGLAS R. DUPONT,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

Petitioner, John L. Winn, as Commissioner of Education, files this Administrative Complaint against DOUGLAS R. DUPONT. The Petitioner seeks the appropriate disciplinary sanction of the Respondent's educator's certificate pursuant to Sections 1012.795 and 1012.796, 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 1012.795(1) and 1012.796(7), Florida Statutes.

The Petitioner alleges:

JURISDICTION

1. The Respondent holds Florida Educator's Certificate 430238, covering the areas of Administration/Supervision, Elementary Education, English to Speakers of Other Languages (ESOL) and Mathematics, which was valid through June 30, 2006.
2. At all times pertinent hereto, the Respondent was employed as a Teacher in the Brevard County School District.

MATERIAL ALLEGATIONS

3. On or about April 30, 2004, Respondent accessed pornographic materials on his school issued computer while in the presence of students in a Colorado school system. On or about July 14, 2005, Respondent entered into a Settlement Agreement with the Colorado Department of Education which included a one year revocation of his Colorado professional teacher license and a requirement that Respondent submit to a mental health evaluation and treatment if indicated. On or about May 18, 2004, Respondent resigned from his teaching position.

The Petitioner charges:

STATUTE VIOLATIONS

COUNT 1: The Respondent is in violation of Section 1012.795(1)(c), Florida Statutes, in that Respondent has been guilty of gross immorality or an act involving moral turpitude.

COUNT 2: The Respondent is in violation of Section 1012.795(1)(d), Florida Statutes, in that Respondent has had a teaching certificate revoked in another state.

COUNT 3: The Respondent is in violation of Section 1012.795(1)(f), Florida Statutes, in that Respondent has been found guilty of personal conduct which seriously reduces his effectiveness as an employee of the school board.

COUNT 4: The Respondent is in violation of Section 1012.795(1)(i), Florida Statutes, in that Respondent has violated the Principles of Professional Conduct for the Education Profession prescribed by State Board of Education rules.

RULE VIOLATIONS

COUNT 5: The allegations of misconduct set forth herein are in violation of Rule 6B-1.006(3)(a), Florida Administrative Code, in that Respondent has failed to make reasonable effort to protect the student from conditions harmful to learning and/or to the student's mental health and/or physical health and/or safety.


COUNT 6: The allegations of misconduct set forth herein are in violation of Rule 6B-1.006(3)(e), Florida Administrative Code, in that Respondent has intentionally exposed a student to unnecessary embarrassment or disparagement.

COUNT 7: The allegations of misconduct set forth herein are in violation of Rule 6B-1.006(4)(c), Florida Administrative Code, in that Respondent has used institutional privileges for personal gain or advantage.

(SIGNATURE ON FOLLOWING PAGE)

WHEREFORE, based on the reasons set forth herein and in accordance with the Explanation of Rights and Election of Rights forms attached to and made a part of this Administrative Complaint, Petitioner respectfully recommends that the Education Practices Commission impose an appropriate sanction against the Respondent's educator's certificate pursuant to the authority provided in Sections 1012.795(1) and 1012.796(7), Florida Statutes. The sanctions imposed by the Education Practices Commission may include, but are not limited to, any one or a combination of the following: issuing the Respondent a written reprimand; placing the Respondent on probation for any period of time; restricting the Respondent's authorized scope of practice; assessing the Respondent an administrative fine; directing the Respondent to enroll in the Recovery Network Program; suspending the Respondent's educator's certificate for a period of time not to exceed five years; revoking the Respondent's educator's certificate for a period of time up to 10 years or permanently; or barring the Respondent from reapplying for an educator's certificate for a period of time up to 10 years or permanently.

EXECUTED on this 13th day of December, 2006.



JOHN L. WINN, as
Commissioner of Education
State of Florida



EDUCATION PRACTICES COMMISSION
STATE OF FLORIDA

KATHLEEN RICHARDS
Executive Director

DENNIS GRIFFIN
Chairperson

DANIEL BIGGINS
Assistant Attorney General

BRIAN DONOVAN
Co-Chairperson

December 3, 2007

Douglas Dupont

[REDACTED]
Germantown, Maryland 20874-4475

Re: John L. Winn vs. Douglas Dupont
EPC No.: 07-0317-RT; DOE No.: 430238

Dear Mr. Dupont:

As you know, the teacher panel of the Education Practices Commission reviewed the matter pending against you. The panel concluded that you violated the Principles of Professional Conduct for the Education Profession prescribed by the State Board of Education rules and hereby reprimands you for the conduct alleged in the Administrative Complaint which is incorporated herein.

This panel, composed of your peers, believes that, as a teacher, you are required to exercise a measure of leadership beyond reproach. By your actions, you have lessened the reputation of all who practice our profession. The profession cannot condone your actions, nor can the public who employ us.

The Education Practices Commission sincerely hopes it is your intention to never allow this situation to occur again or indeed, to violate any professional obligation in fulfilling your responsibilities as an educator. To violate the standards of the profession will surely result in further action being taken against you.

This letter of reprimand is being placed in your state certification file, and a copy is being sent to the Brevard County School Board for placement in your personnel file.

Sincerely,


Dennis Griffin
Presiding Officer