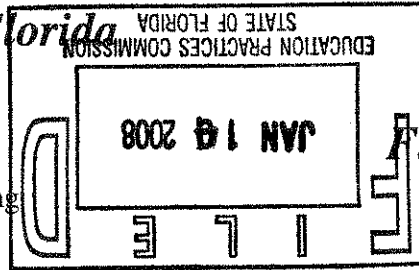




*Before the Education Practices Commission  
of the State of Florida*



*Final Order*

IN RE: Administrative Complaint seeking disciplinary action against the Educator's Certificate of **Joseph Pekich**.

CASE NO. 08-0001-RT  
EPC INDEX NO. 08-017-FON

An Administrative Complaint seeking disciplinary action against the educator's certificate of Respondent, **Joseph Pekich**, was filed by **JEANINE BLOMBERG**, as Commissioner of Education on, October 10, 2007.

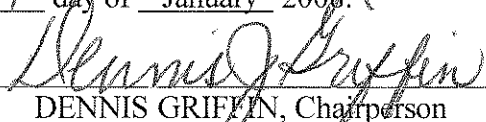
Respondent, holder of Florida educator's certificate number 316390, was served with a copy of the Administrative Complaint. Respondent has filed an answer to the Administrative Complaint stating that he did not wish to contest the charges, that he waived any further rights to due process or a public hearing, that he surrendered his certificate for permanent revocation, and that all his actions were free and voluntary.

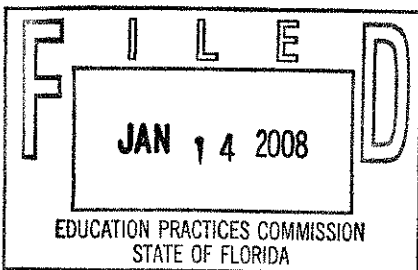
The Administrative Complaint and the answers are incorporated as part of this Order.

In consideration of the foregoing, the Education Practices Commission, as empowered by F.S. 1012.796, hereby **PERMANENTLY REVOKES** educator's certificate number, 316390, held by , **Joseph Pekich**.

Reapplication will not be considered.

DONE AND ORDERED this 9 day of January 2008.

  
DENNIS GRIFFIN, Chairperson  
Education Practices Commission



I HEREBY CERTIFY that a copy of the foregoing Order in the matter of **JEANINE BLOMBERG vs. Joseph Pekich** was furnished to **Joseph Pekich**, at [REDACTED] Palm Bay, FL 32905 and 37 P. Gomez Street, Laoag City, Ilocos Norte, 2900 Philippines this 14 day of January 2008, by U. S. Mail.

  
Kathleen Richards  
Education Practices Commission

**COPIES FURNISHED TO:**

Bureau of Professional Practices

Bureau of Teacher Certification

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

Superintendent  
Brevard County School Board  
2700 Judge Fran Jamieson Way  
Viera, Florida 32940

Human Resources Services  
Brevard County School Board  
2700 Judge Fran Jamieson Way  
Viera, Florida 32940

Daniel Biggins, Assistant Attorney General  
The Capital Plaza Level 1  
Tallahassee, Florida 32399

Ron Stowers, Esquire  
Office of General Counsel  
Florida Department of Education  
325 W. Gaines Street, Suite 1232  
Tallahassee, Florida 32399-0400

ELECTION OF RIGHTS

Petitioner,  
Jeanine Blomberg, Commissioner of Education.

SEATED 12/13/07

vs.

JOSEPH D. PEKICH  
Respondent

File No.: 067-2661-P

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) 245-0438. 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) 245-0438.)

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

Joseph Pekich  
Signature of Respondent

(STATE OF FLORIDA)  
COUNTY OF THE PHILIPPINES  
The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of December, 20 07.

Street Address [REDACTED]

by JOSEPH D. PEKICH  
(Print Respondent's Name)

Laoag City, Ilocos Norte, 2900 Philippines  
City

Roberto A. Manuel  
Signature of Notary Public  
NOTARY PUBLIC

[REDACTED]  
Telephone No

UNTIL DECEMBER 31, 2007  
IBP No. 673093-01/02/07  
PTR No. 9067734-01/02/07  
TIN 927-903-604

Personally Known  or Produced Identification Type of Identification Produced  Print, Type or Stamp   
Commissioned Name of Notary Public

STATE OF FLORIDA  
EDUCATION PRACTICES COMMISSION

JEANINE BLOMBERG, as  
Commissioner of Education,

Petitioner,

vs.

CASE NO. 067-2661-P

JOSEPH D. PEKICH,

Respondent.

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**ADMINISTRATIVE COMPLAINT**

Petitioner, Jeanine Blomberg, as Commissioner of Education, files this Administrative Complaint against JOSEPH D. PEKICH. 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 316390, covering the areas of Administration/Supervision, Biology, and Chemistry, which is valid through June 30, 2012.
2. At all times pertinent hereto, the Respondent was employed as a Science Teacher at Palm Bay High School in the Brevard County School District.

**MATERIAL ALLEGATIONS**

3. On or about February 20, 2001, Respondent pled and the court adjudicated him guilty of Reckless Driving, a lesser included offense of Driving under the Influence.

The Petitioner charges:

STATUTE VIOLATIONS

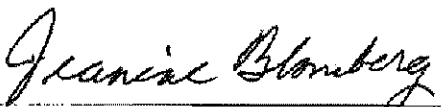
**COUNT 1:** The Respondent is in violation of Section 1012.795(1)(c), Florida Statutes, in that Respondent has been guilty of gross immorality or an act involving moral turpitude.

**COUNT 2:** The Respondent is in violation of Section 1012.795(1)(c), Florida Statutes, in that Respondent has been convicted of a misdemeanor, felony, or other criminal charge, other than a minor traffic violation.

**COUNT 3:** The Respondent is in violation of Section 1012.795(2), Florida Statutes, which provides that the plea of guilty in any court or the decision of guilty by any court is prima facie proof of grounds for the revocation of the certificate.

**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 10<sup>th</sup> day of October, 2007.

  
\_\_\_\_\_  
JEANINE BLOMBERG, as  
Commissioner of Education  
State of Florida