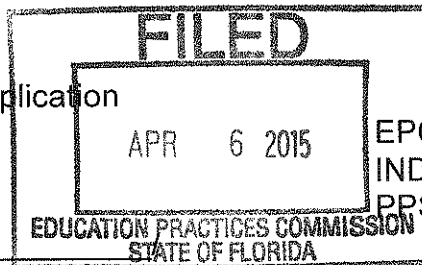




Before the Education Practices Commission of the State of Florida

IN RE The Denial of the Application
for Teacher's Certificate of:

LEONARD AGEE



EPC CASE N^o: 14-0452-D
INDEX N^o: 15-004-FOI
PPS N^o: 134-3043-LA

Final Order

Leonard Agee holds Florida educator's certificate no. 1234569. The Commissioner has filed a Notice of Reasons to deny the Applicant authorization for an educator's certificate. A copy of the Notice of Reasons (NOR) is attached to and made a part of this Order.

This cause came before a teacher panel of the Education Practices Commission on February 26, 2015, in Panama City, Florida. The Applicant was present.

The Applicant has chosen not to dispute the allegations of the NOR and has requested an informal hearing to present evidence and testimony in mitigation.

Paragraphs 1 through 4 of the NOR were adopted by the Education Practices Commission as its findings of fact. Counts 1 through 4 of the NOR were adopted by the Education Practices Commission as its conclusions of law.

Upon consideration, it is ORDERED that:

1. The Applicant shall be permitted to pursue application for a Florida educator's certificate. If found qualified, the certificate shall be issued.
2. Applicant is hereby issued a letter of reprimand.

3. Upon employment in any public or private position requiring a Florida educator's certificate, Applicant shall be placed on 1 employment year 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 Applicant'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. Not consume, inject or ingest any controlled substance unless prescribed or administered for legitimate medical purposes.

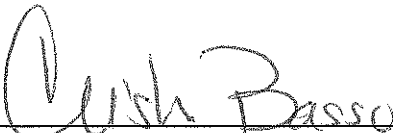
H. Refrain from transporting minor students in or on motor vehicles.

4. Applicant is assessed an administrative fine of \$750.00 to be paid within one year from the date of the Final Order.

5. As part of the Recovery Network Program (RNP), Applicant is responsible for all costs associated with the evaluation, treatment, counseling, and testing required through their participation in the RNP, and shall:

Not consume, inject or ingest any controlled substance unless prescribed or administered for legitimate medical purposes, and submit to random substance abuse screenings at the direction of the RNP, the employing school district or private or charter school and authorize reporting of results to each entity.

DONE AND ORDERED, this 1st day of April, 2015.



CRISTINA BASSO, Presiding Officer

COPIES FURNISHED TO:

Bureau of Professional Practices

Bureau of Teacher Certification

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

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
Leonard Agee
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Lee Ann Gustafson
Assistant Attorney General

Recovery Network Program
for Educators
325 W. Gaines Street, Suite 224
Tallahassee, FL 32399

Probation Office

Claudia Llado, Clerk
Division of Administrative Hearings

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Order was mailed to Leonard Agee, [REDACTED] [REDACTED] Mims, Florida 32754 by Certified U.S. Mail and by electronic mail to Bonnie Wilmot, Assistant General Counsel, Suite 1232, Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399-0400 this 6th day of **April**, 2015.



Gretchen Kelley Brantley, Clerk
Education Practices Commission

STATE OF FLORIDA
DEPARTMENT OF EDUCATION

IN RE: The Denial of the
Application for Teacher's
Certificate of:

CASE NO. 134-3043-LA

LEONARD AGEE,
_____ /

NOTICE OF REASONS

LEONARD AGEE, [REDACTED] Mims, Florida 32754, Department of Education Number 1234569, having filed his application for a Florida Educator's Certificate before the Department of Education;

The Department of Education having reviewed the application in accordance with Sections 1012.315, 1012.56, 1012.795 and 1012.796, Florida Statutes, has determined that LEONARD AGEE is not entitled to the issuance of a Florida Educator's Certificate, accordingly; and

The Department of Education files and serves upon the Applicant, LEONARD AGEE, its Notice of Reasons for its denial in accordance with the provisions of Section 120.60, Florida Statutes.

The Department of Education alleges:

1. On or about October 8, 2000, in Brevard County, Florida, Applicant was arrested and charged with (1) Resisting an Officer Without Violence and (2) Breach of the Peace, Disorderly Conduct. Applicant pled nolo contendere to both charges, and on December 12, 2000 in the County Court, in and for Brevard County, Florida, Applicant was adjudicated guilty of Resisting an Officer Without Violence, and adjudication was withheld for the second count of Breach of the Peace, Disorderly Conduct.

2. On or about August 20, 2009, in Brevard County, Florida, Applicant was in actual or constructive possession of the controlled substance Cannabis. Applicant was arrested and charged with Possession of Cannabis in an Amount Not More than 20 Grams. On or about February 15, 2010, in the County Court, in and for Brevard County, Florida, Applicant pled nolo contendere to the charge and adjudication was withheld.

3. On or about October 23, 2011, in Brevard County, Florida, Applicant was in actual or constructive possession of the controlled substance Cannabis. Applicant was arrested and charged with Possession of Cannabis in an Amount Not More than 20 Grams. Applicant completed a Pre-Trial Diversion Contract, and on or about February 13, 2012, in the County Court in and for Broward County, Florida, an order of nolle prosequi was entered for the charge.

4. Pursuant to Section 1012.795(2), Florida Statutes, the plea of guilty or the decision of guilty by any court is prima facie proof of grounds for revocation or other sanctions.

The Department of Education charges:

STATUTE VIOLATIONS

COUNT 1: The Applicant is in violation of Section 1012.56(2)(e), Florida Statutes, which requires that the holder of a Florida Educator's Certificate be of good moral character.

COUNT 2: The Applicant is in violation of Section 1012.56(12)(a), Florida Statutes, which provides that the Department of Education may deny an Applicant a certificate if the department possesses evidence satisfactory to it that the Applicant has committed an act or acts, or that a situation exists for which the Education Practices Commission would be authorized to revoke a teaching certificate.

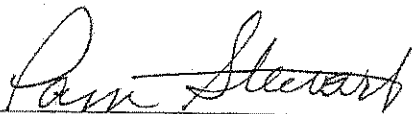
COUNT 3: The Applicant is in violation of Section 1012.795(1)(d), Florida Statutes, in that Applicant has been guilty of gross immorality or an act involving moral turpitude as defined by rule of the State Board of Education.

COUNT 4: The Applicant is in violation of Section 1012.795(1)(f), Florida Statutes, in that the Applicant has been convicted or found guilty of, or entered a plea of guilty to, regardless of adjudication of guilt, a misdemeanor, felony, or any other criminal charge, other than a minor traffic violation.

(SIGNATURE ON FOLLOWING PAGE)

WHEREFORE, the undersigned concludes that the Applicant has committed an act or acts, or that a situation exists, which would authorize the Education Practices Commission to revoke or impose other sanctions against an educator's certificate. 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 Notice of Reasons, the undersigned respectfully recommends that the Education Practices Commission impose an appropriate sanction against the Applicant's application or educator's certificate pursuant to the authority provided in Sections 1012.56(11), 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: affirming the Department of Education's denial of the issuance of an educator's certificate to the Applicant for any period of time or permanently; issuing the Applicant a written reprimand; placing the Applicant on probation for any period of time; restricting the Applicant's authorized scope of practice; assessing the Applicant an administrative fine; directing the Applicant to enroll in the Recovery Network Program; suspending the Applicant's educator's certificate for a period of time not to exceed five years; revoking the Applicant's educator's certificate for a period of time up to 10 years or permanently; determining the Applicant to be ineligible for certification; or barring the Applicant from reapplying for an educator's certificate for a period of time up to 10 years or permanently.

EXECUTED on this 18 day of September, 2014.



PAM STEWART, as
Commissioner of Education
State of Florida



EDUCATION PRACTICES COMMISSION
STATE OF FLORIDA

GRETCHEN KELLEY BRANTLEY
Executive Director

MARK STRAUSS
Chairperson

LEE ANN GUSTAFSON
Counsel

DAVID THOMPSON
Co-Chairperson

April 1, 2015

Leonard Agee

[REDACTED]
Mims, Florida 32754

Re: Pam Stewart vs. Leonard Agee
EPC No.: 14-0452-D; DOE No.: 1234569

Dear Mr. Agee:

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 Notice of Reasons 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,

A handwritten signature in cursive script that reads "Cristina Basso".

Cristina Basso
Presiding Officer