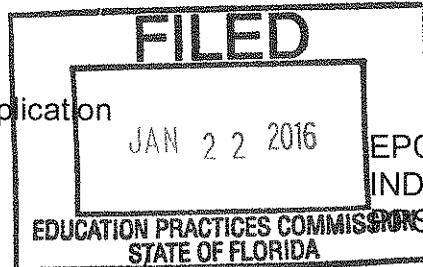




Before the Education Practices Commission of the State of Florida

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

GREGORY LEE



EPC CASE N^o: 15-0410-D
INDEX N^o: 16-017-FOI
N^o 145-2234-LA

Final Order

Gregory Lee holds Florida educator's certificate no. 1271616. 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 on December 10, 2015, in Clearwater Beach, 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 2 of the NOR were adopted by the Education Practices Commission as its findings of fact. Count 1 through 2 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. The Applicant is hereby issued a letter of reprimand.

3. Applicant is assessed an administrative fine of \$500.00 to be paid within the first year of probation.

4. Upon employment in any public or private position requiring a Florida educator's certificate, Applicant shall be placed on 2 employment years 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. Provide a certified college transcript to verify successful (a grade of "pass" or a letter grade no lower than a "B") completion of 3 hours of college level course-work in the area of Education Ethics, which may be taken online, within the first year of probation.

DONE AND ORDERED, this 14th day of January, 2016.


ANN COPENHAVER, Presiding Officer

COPIES FURNISHED TO:

Office of Professional Practices
Services

Bureau of Educator 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

Probation Office

Lee Ann Gustafson
Assistant Attorney General

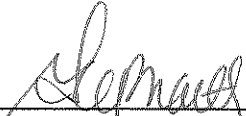
Claudia Llado, Clerk
Division of Administrative Hearings

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 Gregory Lee, [REDACTED] [REDACTED] Titusville, Florida 32780 by Certified U.S. Mail and by electronic mail to Bonnie Wilmot, Deputy General Counsel, Suite 1232, Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399-0400 this 22nd day of **January**, 2016.



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. 145-2234-LA

GREGORY LEE.
_____ /

NOTICE OF REASONS

GREGORY LEE, [REDACTED] Newberry, Florida 32669, Department of Education Number 1271616, 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 GREGORY LEE is not entitled to the issuance of a Florida Educator's Certificate, accordingly; and

The Department of Education files and serves upon the Applicant, GREGORY LEE, 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 July 13, 2010, Applicant became involved in a verbal altercation with several other individuals when he pulled out a loaded handgun and waived it around in a threatening manner. Applicant was arrested and charged with Improper Exhibition of a Firearm or Dangerous Weapon. On or about October 11, 2010, Applicant pled nolo contendere to the charge and the Court withheld adjudication of guilt.

2. On or about July 22, 2012, Applicant was illegally in possession of the drug Cannabis. Applicant was charged with one count of Possession of Cannabis. On or about September 6, 2012, Applicant pled nolo contendere to and the Court adjudicated him guilty of the charge.

The Department of Education charges:

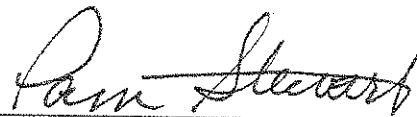
STATUTE VIOLATIONS

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 1012.795(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.

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 13th day of July, 2015.



PAM STEWART, as
Commissioner of Education
State of Florida



EDUCATION PRACTICES COMMISSION
STATE OF FLORIDA

GRETCHEN KELLEY BRANTLEY
Executive Director

DAVID R. THOMPSON
Chairperson

LEE ANN GUSTAFSON
Counsel

CHRISTIE GOLD
Co-Chairperson

January 14, 2016

Gregory Lee
[REDACTED]

Titusville, Florida 32780

Re: Pam Stewart vs. Gregory Lee
EPC No.: 15-0410-D; DOE No.: 1271616

Dear Mr. Lee:

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,

Ann Copenhaver

Ann Copenhaver
Presiding Officer