



*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 **James Brand**.



CASE NO. 21-0337-RT  
EPC INDEX NO. 21-289-FON

An Administrative Complaint seeking disciplinary action against the educator's certificate of Respondent, **James Brand**, was filed by **Richard Corcoran**, as Commissioner of Education on, August 30, 2021.

Respondent, holder of Florida educator's certificate number 856779, 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, 856779, held by, **James Brand**.

Reapplication will not be considered.


DONE AND ORDERED this 5<sup>th</sup> day of October 2021.

A handwritten signature in black ink, appearing to read "AADIL AMEERALLY".

AADIL AMEERALLY, Chairperson  
Education Practices Commission

Final Order  
Re: **James Brand**  
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I HEREBY CERTIFY that a copy of the foregoing Order in the matter of **RICHARD CORCORAN vs. JAMES BRAND**, was furnished to **James Brand**, at [REDACTED] Viera, Florida 32940 on this 5<sup>th</sup> day of October 2021, by Certified U.S. Mail.

  
\_\_\_\_\_  
Faith Lenzo, Clerk  
Education Practices Commission

**COPIES FURNISHED TO:**

Office of Professional Practices Services

Bureau of Educator Certification

Division of Administrative Hearings

Superintendent  
Brevard County  
2700 Judge Fran Jamieson Way  
Viera, Florida 32940-6601

Human Resources  
Brevard County  
2700 Judge Fran Jamieson Way  
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ELECTION OF RIGHTS

Richard Corcoran, Commissioner of Education,  
Petitioner,

vs.

File No.: 201-1935

JAMES MICHAEL BRAND

Respondent.

Mark your election by checking option 1, 2, 3 or 4. (Select one 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 facts I dispute are:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Attach additional sheet(s) if needed.

2.  SETTLEMENT OPTION I neither admit nor deny the allegations and request a forty-five (45) day period to negotiate a settlement agreement. If an agreement is not reached I request:  
(Select One)  
 Informal Hearing - I do not dispute the allegation  
Or  
 Formal Hearing - The facts I dispute are:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\*If neither Informal nor Formal is checked, the action will be scheduled for an Informal Hearing.

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

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

I have read the Explanation of Rights and understand my options.

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

\_\_\_\_\_  
Signature of Respondent  
  
\_\_\_\_\_  
Street Address  
  
\_\_\_\_\_  
City  
  
\_\_\_\_\_  
Telephone No.  
  
\_\_\_\_\_  
EMail Address  Check if ok to correspond via email

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_  
The foregoing instrument was acknowledged before me this  
\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
  
by \_\_\_\_\_  
(Print Respondent's Name)

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

\_\_\_\_\_  
Signature of Notary Public

Your fully executed election of rights form must be returned within 21 days to:

PROFESSIONAL PRACTICES SERVICES  
325 WEST GAINES STREET, SUITE 224  
TALLAHASSEE, FLORIDA 32399-0400  
or  
via email to EOR@fldoe.org

## EXPLANATION OF ELECTION OF RIGHTS

The enclosed Administrative Complaint outlines charges brought against you by the Florida Commissioner of Education. To respond to the charges you must indicate your choice of response on the enclosed Election of Rights form and **return it within 21 days of the date of receipt**. If you fail to return this fully executed form within 21 days of receipt, you waive your right to request a hearing and the complaint will be filed with the Education Practices Commission for final action.

1. **Formal Hearing** before the Division of Administrative Hearings. The Administrative Procedures Act, Section 120.57(1), Florida Statutes, and Section 1012.796, Florida Statutes, govern the formal hearing process. This choice means you deny some or all of the factual allegations in the Administrative Complaint. There will be a full administrative hearing on the issues. The Commissioner will be represented by an attorney and will bring forth witnesses. You may choose to have an attorney or represent yourself in the proceedings. (See [www.doah.state.fl.us](http://www.doah.state.fl.us) for more information.)
2. **Settlement Agreement** with the Department of Education. This choice means you neither admit nor deny the allegations in the Administrative Complaint, but wish to negotiate a settlement. In a settlement agreement, you will accept certain conditions in order to resolve the case. If you do not reach a settlement, you have the choice to reschedule the case to a formal or informal hearing by indicating that selection on the attached form. (If you fail to indicate your back-up selection, your case will automatically be scheduled for an informal hearing.)
3. **Informal Hearing** before the Education Practices Commission. The Florida Administrative Procedures Act, Section 120.57(2), Florida Statutes, governs the informal hearing process. This option means you choose not to dispute the factual allegations or charges of the Administrative Complaint. You have the right to appear before a panel of the Education Practices Commission to state why a lenient penalty or no penalty is appropriate. If you do not want to make a personal appearance, you or your representative, may submit written statements on your behalf. Any written statement must be submitted to the Education Practices Commission staff no later than 30 days before the scheduled informal hearing.
4. **Voluntary Surrender** of your Florida Educator's Certificate. This choice means you do not contest any of the allegations or charges in the Administrative Complaint and voluntarily surrender your certificate for **permanent revocation**. Once surrendered, the certificate will never be reinstated and the rules of the Department of Education do not permit you to apply for a new certificate. Your right to any Florida Educator's Certificate is forever revoked and relinquished.

**Regardless of which selection you make, the Education Practices Commission (Sections 1012.79 and 1012.795, Florida Statutes) will issue a Final Order to finalize the process. For more information on this process, please visit [www.myfloridateacher.com](http://www.myfloridateacher.com)**

**STATE OF FLORIDA  
EDUCATION PRACTICES COMMISSION**

**RICHARD CORCORAN, as  
Commissioner of Education,**

**Petitioner,**

**vs.**

**CASE NO. 201-1935**

**JAMES BRAND,**

**Respondent.**

\_\_\_\_\_ /

**ADMINISTRATIVE COMPLAINT**

Petitioner, Richard Corcoran, as Commissioner of Education, files this Administrative Complaint against JAMES BRAND. The Petitioner seeks the appropriate disciplinary sanction of the Respondent's educator's certificate pursuant to sections 1012.315, 1012.795, and 1012.796, Florida Statutes, and pursuant to Rule 6A-10.081, 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 856779, covering the areas of Middle Grades Integrated Curriculum and Social Science, which is valid through June 30, 2025.
2. At all times pertinent hereto, the Respondent was employed as a History Teacher at Viera High School in the Brevard County School District.

**MATERIAL ALLEGATIONS**

3. On or about June 22, 2021, Respondent pled and was adjudicated guilty of two counts of Disorderly Conduct. As a result of Respondent's conviction, the court ordered him to surrender for permanent revocation his Florida teaching certificate.

The Petitioner charges:

**STATUTE VIOLATIONS**

**COUNT 1:** The Respondent is in violation of Section 1012.795(1)(f), Florida Statutes, in that Respondent has been convicted of or found guilty, has had adjudication withheld for, or has pled guilty or nolo contendere to a misdemeanor, felony, or any other criminal charge other than a minor traffic violation.

**COUNT 2:** The Respondent is subject to section 1012.795(1)(m), Florida Statutes, in that Respondent has been the subject of a court order or plea agreement in a jurisdiction which requires the certificate holder to surrender or otherwise relinquish their educator's certificate. A surrender or relinquishment shall be for permanent revocation of the certificate. The Respondent may not surrender or otherwise relinquish their certificate prior to a finding of probable cause by the Commissioner of Education, as provided in section 1012.796, Florida Statutes.

**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; determining the Respondent to be ineligible for certification; 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 30 day of August, 2021.



**RICHARD CORCORAN**, as  
Commissioner of Education  
State of Florida