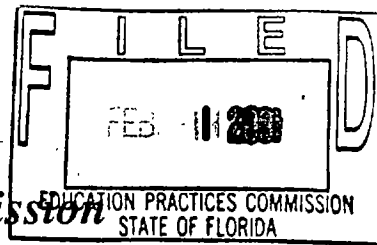




*Before the Education Practices Commission
of the State of Florida*



Final Order

IN RE: Administrative Complaint seeking
disciplinary action against the Teacher's
Certificate of Brent C. Buchanan.

_____ /

CASE NO. 00-0666-RT
EPC INDEX NO. 01-026-FON

FINAL ORDER

An Administrative Complaint seeking disciplinary action against the teacher's certificate of Respondent, Brent C. Buchanan, was filed by Tom Gallagher, as Commissioner of Education on, June 6, 2000.

Respondent, holder of Florida teacher's certificate number 707978, 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. 231.262(1980), hereby PERMANENTLY REVOKES teachers certificate number, 707978, held by Brent C. Buchanan.

Reapplication will not be considered.

DONE AND ORDERED, this 21st day of Jan, 2001.

John Beumgardner
Chairperson

01 JAN 31 AM 10:36

Com. Booklet

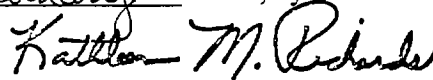
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Final Order

Re: Brent C. Buchanan

Page Two

I HEREBY CERTIFY that a copy of the foregoing Order in the matter of Tom Gallagher vs. Brent C. Buchanan was furnished to Brent C. Buchanan, [REDACTED] Melbourne, Florida 32935 this 1st day of February 2001, by U. S. Mail.



KATHLEEN M. RICHARDS, Clerk

COPIES FURNISHED TO:

Bureau of Educator Standards

Bureau of Teacher Certification

Rivers Buford, Esquire
Attorney General's Office

Carl Zahner, Esquire
Florida Department of Education

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

Charles B. Geitner, Esquire
Broad & Cassel
100 North Tampa Street, Suite 3500
Tampa, Florida 33602

Tino Gonzalez, Esquire
3420 North U.S. Highway 1
Melbourne, Florida 32935

TOM GALLAGHER, as Commissioner of Education
Petitioner,

vs.

BRENT C. BUCHANAN
Respondent.

Best Available Copy

AMENDED ELECTION OF RIGHTS RECEIVED
EDUCATION PRACTICES
COMMISSION

01 JAN 25 AM 11:12 File No.: 00-2774

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 45 day period of time to try to negotiate a settlement with Professional Practices Services at (850) 488-2481. If an agreement is not reached within the 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 or 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 Education Practices Commission at (850) 488-0547.

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

B. Buchanan
Signature of Respondent

Street Address

Melbourne
City

Telephone No.

Personally Known or Produced Identification

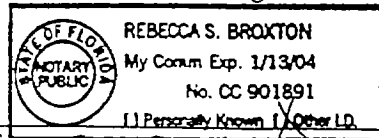
Type of Identification Produced FL DC

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 30th day of JANUARY, 2007.

by BRENT C. BUCHANAN
(Print Respondent's Name)

Rebecca S. Broxton
Signature of Notary Public



Print, Type or Stamp Commissioned Name of Notary

**STATE OF FLORIDA
EDUCATION PRACTICES COMMISSION**

**TOM GALLAGHER, as
Commissioner of Education,**

Petitioner,

vs.

CASE NO. 990-0186-C

BRENT C. BUCHANAN,

Respondent.

ADMINISTRATIVE COMPLAINT

Petitioner, TOM GALLAGHER, as Commissioner of Education, files this Administrative Complaint against Brent C. Buchanan. The Petitioner seeks the appropriate disciplinary sanction of the Respondent's educator's certificate pursuant to Sections 231.262 and 231.28, 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 231.262(6) and 231.28(1), Florida Statutes.

The Petitioner alleges:

JURISDICTION

1. The Respondent holds Florida Educator's Certificate 707978, covering the area of Social Sciences, which is valid through June 30, 2002.
2. At all times pertinent hereto, the Respondent was employed as a Social Studies teacher at Eau Gallie High School, in the Brevard County School District.

MATERIAL ALLEGATIONS

3. On or about October 1998, Respondent who was the school's basketball coach paid a male student player, [REDACTED] money to expose his penis to him. On or about May 24, 1999, Respondent resigned his position with the School District.

STATUTORY VIOLATIONS

COUNT 1: The allegations of misconduct set forth herein are in violation of Section 231.28(1)(c), Florida Statutes, in that Respondent has been guilty of gross immorality or an act involving moral turpitude.

COUNT 2: The allegations of misconduct set forth herein are in violation of Section 231.28(1)(f), Florida Statutes, in that Respondent, upon investigation, has been found guilty of personal conduct which seriously reduces his effectiveness as an employee of the school board.

COUNT 3: The allegations of misconduct set forth herein are in violation of Section 231.28(1)(i), Florida Statutes, in that Respondent has violated the Principles of Professional Conduct for the Education Profession in Florida prescribed by State Board of Education.

RULE VIOLATIONS

COUNT 4: 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 safety

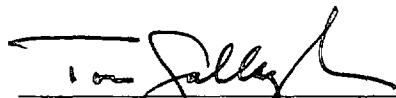
COUNT 5: The allegations of misconduct set forth herein are in violation of Rule 6B-1.006(3)(e), Florida Administrative Code, in that Respondent has intentionally exposed a student to unnecessary embarrassment or disparagement.

COUNT 6: The allegations of misconduct set forth herein are in violation of Rule 6B-1.006(3)(h), Florida Administrative Code, in that Respondent has exploited a relationship with a student for personal gain or advantage.

COUNT 7: The allegations of misconduct set forth herein are in violation of Rule 6B-1.006(4)(e), Florida Administrative Code, in that Respondent has offered gratuity, gift, or favor to obtain special advantages.

WHEREFORE, the Petitioner recommends that the Education Practices Commission impose an appropriate penalty pursuant to the authority provided in Sections 231.262(6) and 231.28(1), Florida Statutes, which penalty may include a reprimand, probation, restriction of the authorized scope of practice, administrative fine, suspension of the teaching certificate not to exceed three years, permanent revocation of the teaching certificate, or combination thereof, for the reasons set forth herein, and in accordance with the Explanation and Election of Rights forms which are attached hereto and made a part hereof by reference

EXECUTED on this 6TH day of June, 2000.



TOM GALLAGHER, as
Commissioner of Education,
State of Florida