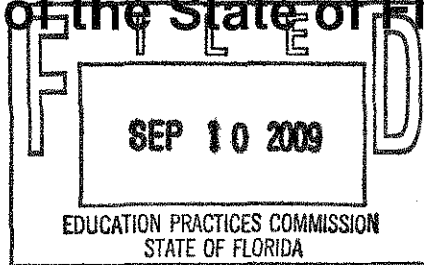




## Before the Education Practices Commission of the State of Florida



DR. ERIC J. SMITH  
Commissioner of Education,

Petitioner,

vs.

BATUMANE S.B. KASANGANAY,

Respondent

EPC CASE N<sup>o</sup> 09-0057-RT  
DOAH CASE N<sup>o</sup> 09-0500PL  
EPC INDEX N<sup>o</sup> 09-499- FDF  
PPS N<sup>o</sup> 078-0288-F  
CERTIFICATE N<sup>o</sup> 752042

### Final Order

This matter was heard by a Teacher Panel of the Education Practices Commission pursuant to Sections 1012.795, 1012.796 and 120.57(1), Florida Statutes, on August 6, 2009 in Tallahassee, Florida, for consideration of the Recommended Order entered in this case by J.D. Parrish, Administrative Law Judge dated June 19, 2009. Respondent was represented by counsel.

Petitioner filed Exceptions to the Recommended Order and Request to Remand. A copy of those Exceptions is attached to and incorporated by reference. After reviewing the complete record accompanying the Recommended Order, the Recommended Order, the Exceptions, and being fully advised in the premises, the Commission rejected the requested exceptions and the motion to remand because it determined that the Administrative Law Judge had made the requested findings and conclusions in the Recommended Order.

The Panel hereby adopts the findings of fact, (paragraphs 1-30), conclusions of law, (paragraphs 31-42), and the recommendation contained in the Recommended Order. A

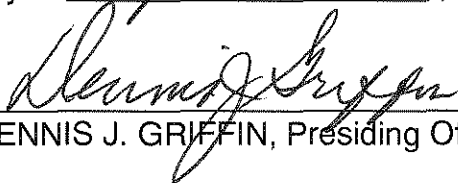
copy of the Recommended Order, attached to and made a part hereof, is hereby adopted in full and becomes the Final Order of the Education Practices Commission.

It is therefore **ORDERED** that:

1. Respondent's Florida educator's certificate is hereby suspended for a period of 1 year.
2. Respondent shall 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(s) of Ethics prior to reinstatement of his certificate.
3. Respondent is assessed an administrative fine of \$2,000.00 to be paid prior to reinstatement of his certificate

This Order takes effect upon filing with the Clerk of the Education Practices Commission.

**DONE AND ORDERED**, this 3 day of September, 2009.

  
DENNIS J. GRIFFIN, Presiding Officer

COPIES FURNISHED TO:

Bureau of Professional Practices  
Bureau of Teacher Certification  
*Florida Administrative Law Reports*  
Superintendent  
Palm Beach County Schools  
3300 Forest Hill Blvd., Room C316

**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

West Palm Beach, FL 33406-5869

Chief Personnel Officer  
Palm Beach County Schools  
3300 Forest Hill Boulevard,  
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J.D. Parrish  
Administrative Law Judge  
Division of Administrative Hearings  
1230 Apalachee Parkway  
Tallahassee, FL 32399-1550

Claudia Llado, Clerk  
Division of Administrative Hearings

Probation

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 furnished to Batumane S.B. Kasanganay, P.O. Box 4591 Rockhill, South Carolina 29732; and Joan Stewart FEA, 300 East Park Avenue, Tallahassee, Florida 32301 by Certified U.S. Mail this 10 day of

September, 2009.



DON SHIELDS  
Education Practices Commission