



Before the Education Practices Commission of the State of Florida

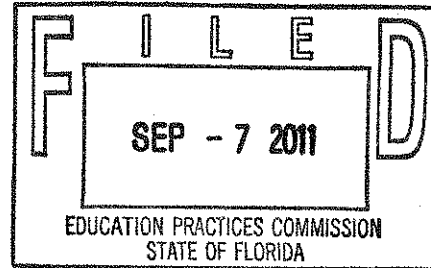
DR. ERIC J. SMITH, as the
Commissioner of Education,

Petitioner,

vs.

CASEY GRIFFITH,

Respondent.



EPC CASE N^o: 10-0348-RT
DOAH CASE N^o 11-1263PL
Index N^o 11-332-FOF
PPS N^o 089-2096
CERTIFICATE N^o 1021431

Final Order

This cause came before a teacher panel of the Education Practices Commission on August 4, 2011, in Tallahassee, Florida pursuant to Sections 1012.795, 1012.796 and 120.57(1), Florida Statutes for consideration of the Recommended Order entered in this case by Lisa Shearer Nelson, Administrative Law Judge dated June 10, 2011.

Respondent filed Exceptions to the Recommended Order. 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 exception 1, finding that there is competent and substantial evidence to support the findings of fact in the Recommended Order. The Commission rejected exception 2, finding that the administrative law judge's finding was more reasonable. The Commission rejected the exception as to the recommendation.

The Panel hereby adopts the findings of fact, (paragraphs 1-16), conclusions of law,

(paragraphs 17-29), 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.

Upon consideration, it is ORDERED that:

1. Respondent's educator's certificate shall be suspended for a period of two (2) years from the date of this order.

2. Upon employment in any public or private position requiring a Florida educator's certificate, Respondent 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 Respondent'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. Respondent shall submit to a Recovery Network Program evaluation within sixty (60) days from the date of this order by an RNP qualified provider and Respondent is to follow the course of treatment or counseling as recommended.

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

This order shall become effective upon filing with the Clerk of the Commission.

DONE AND ORDERED, this 2 day of September, 2011.



MARK STRAUSS, Presiding Officer

COPIES FURNISHED TO:

Bureau of Professional Practices
Bureau of Teacher Certification
Florida Administrative Law Reports
Superintendent

Lisa Shearer Nelson
Administrative Law Judge
Division of Administrative Hearings
1230 Apalachee Parkway
Tallahassee, FL 32399-1550

Claudia Llado, Clerk
Division of Administrative Hearings

Daniel Biggins

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.

Assistant Attorney General

Recovery Network Program
for Educators

Probation Office

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Order was mailed to Casey Griffith, 1802 Sherwood Drive, Tallahassee, Florida 32303-4432 and Mark Herdman, 29605 U.S. Highway 19 North, Suite 110, Clearwater, Florida 33761 by Certified U.S. Mail and by electronic mail to Margaret O'Sullivan Parker, Deputy General Counsel, Suite 1232, Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399-0400 this 7th day of **September**, 2011.



Janice Harris,
Education Practices Commission