



Before the Education Practices Commission of the State of Florida

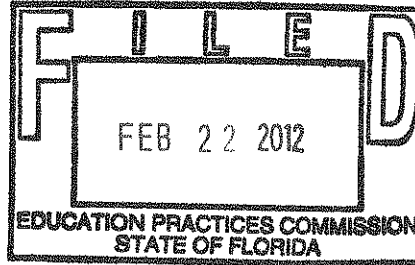
DR. ERIC J. SMITH,
Commissioner of Education,

Petitioner,

vs.

DIANE DELORES ROBINSON,

Respondent



EPC CASE N° 10-0317-RT
DOAH CASE N° 11-2386PL
INDEX N° 12-063-FOF
PPS N° 089-3124
CERTIFICATE N° 519374

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 January 27, 2012, in Jacksonville, Florida, for consideration of the Recommended Order entered in this case by Cathy M. Sellers, Administrative Law Judge, dated November 17, 2011. Respondent was not present.

After reviewing the complete record accompanying the Recommended Order, the Recommended Order, and being fully advised in the premises, the Commission hereby adopts the findings of fact, (paragraphs 1-49) and conclusions of law (paragraphs 50-67), contained in the Recommended Order. The recommendation is modified based on paragraph 64 and 65 of the Recommended Order noting the violation is serious and this is the second disciplinary action for Respondent. A copy of the Recommended Order, attached to and made a part hereof, is hereby adopted in full subject to the modification below.

It is therefore **ORDERED** that:

1. Respondent's Florida educator's certificate shall be suspended for a period of three (3) 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 two (2) employment years of probation with the conditions that during that period, she 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.

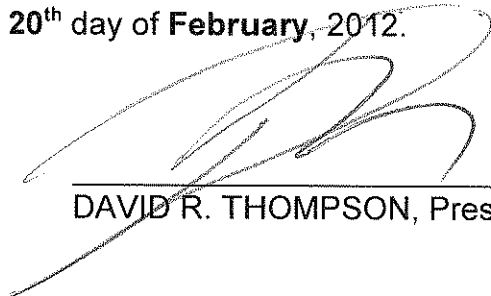
G. Engage in substance abuse counseling with a Recovery Network Program (RNP) approved licensed Florida provider until discharged from treatment. If, to fulfill this requirement, Respondent must now engage in such counseling, Respondent must have the professional submit quarterly reports to the EPC.

H. Not consume, inject or ingest alcohol, and/or any controlled substance unless prescribed or administered for legitimate medical purposes.

I. For the purpose of ascertaining compliance with the conditions of probation, submit to random substance abuse testing as directed by the RNP or employer, and authorize direct reporting of results to each entity.

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

DONE AND ORDERED, this 20th day of **February**, 2012.



DAVID R. THOMPSON, Presiding Officer

COPIES FURNISHED TO:

Bureau of Professional Practices

Bureau of Teacher Certification

Florida Administrative Law Reports

Superintendent
Broward County Schools
600 S.E. 3rd Ave.
Ft. Lauderdale, FL 33301-3125

Executive Director, Professional
Standards
Broward County Schools
600 S.E. 3rd Ave.
Ft. Lauderdale, FL 33301-3125

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.

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Daniel Biggins
Assistant Attorney General

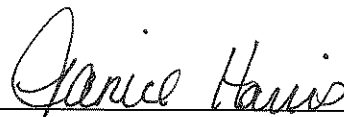
Cathy M. Sellers
Administrative Law Judge
Division of Administrative Hearings
1230 Apalachee Parkway
Tallahassee, FL 32399-1550

Claudia Llado, Clerk
Division of Administrative Hearings

Probation

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Order was furnished to Diane Delores Robinson, 18841 SW 25th Court, Miramar, Florida 33029 and Johnny A. Gaspard, 6625 Miami Lakes Drive, Suite 231, Miami Lakes, Florida 33014 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 and to Charles Whitelock, Esquire, 300 SE 13th Street, Fort Lauderdale, Florida 33316 this 22nd day of **February**, 2012.



Janice Harris,
Education Practices Commission