



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

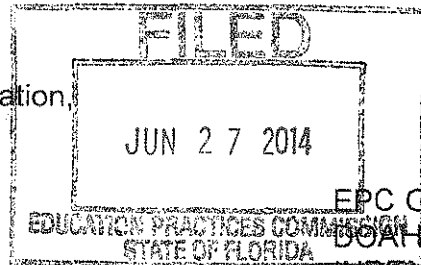
DR. TONY BENNETT  
Commissioner of Education,

Petitioner,

vs.

TERESA HENSON,

Respondent



EPC CASE N<sup>o</sup>: 13-0322-RT

DOAH CASE N<sup>o</sup>: 13-3641PL

INDEX N<sup>o</sup>: 14-235-FOF

PPS N<sup>o</sup>: 112-2167

CERTIFICATE N<sup>o</sup>: 958493

### Final Order

This matter was heard by a Teacher Panel of the Education Practices Commission pursuant to Sections 1012.795, 1012.796, 120.569, and 120.57(1), Florida Statutes, on June 20, 2014, in Jacksonville, Florida, for consideration of the March 24, 2014, Recommended Order entered in this case by Administrative Law Judge (ALJ) Lisa Shearer Nelson. Respondent was represented.

Respondent filed two (2) Exceptions to the Recommended Order. A copy of Respondent's Exceptions is attached hereto and incorporated herein by this reference. Petitioner filed Responses to Respondent's Exceptions.

#### Ruling On Exceptions

##### Respondent's Exception 1:

Respondent's Exception 1 claims that Respondent's hearing exhibit number 10 was filed with the Division of Administrative Hearings and it should be part of the record. The Respondent asks the Commission to accept exhibit number 10 as part of the record. The Commission dismissed Respondent's Exception 1 because it is neither an exception to a

finding of fact nor a conclusion of law. Respondent's Exception 1 is DISMISSED.

**Respondent's Exception 2:**

Respondent's Exception 2 is a request to modify the recommended penalty based on mitigation presented by the Respondent. The Administrative Law Judge recommended that the Respondent be reprimanded and placed on probation for a period of two years, subject to such terms and conditions as the Commission in its discretion may impose. After reviewing the complete record accompanying the Recommended Order, the Recommended Order, the Exceptions, and being fully advised in the premises, the Commission finds no basis for reducing the recommended penalty because Respondent's proposed penalty is not as reasonable as that of the ALJ. The Commission declined to modify the recommended penalty. Respondent's Exception 2 is DENIED.

The Panel hereby adopts the Findings of Fact (paragraphs 1 through 32), Conclusions of Law (paragraphs 33 through 56), and the Recommendation contained in the Recommended Order as modified herein by the Commission's acceptance of Petitioner's Exceptions. A copy of the Recommended Order and a copy of Petitioner's Exceptions, attached hereto and made a part hereof, are hereby adopted by the Commission and become the Final Order of the Education Practices Commission.

It is therefore **ORDERED** that:

1. Respondent's Exception 1 is DISMISSED.
2. Respondent's Exception 2 is DENIED.
3. The Findings of Fact and Conclusions of Law in the Recommended Order are


ADOPTED.

4. Respondent is:

- A. Issued a letter of REPRIMAND;
- B. Placed on two (2) years of employment PROBATION with standard terms and the following additional terms of probation:
  - i. Respondent shall not teach self-contained ESE students;
  - ii Respondent shall complete a three (3) hour college course in the area of classroom management with a grade of B or higher within the first year of probation;

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

DONE AND ORDERED, this 26<sup>th</sup> day of June, 2014.

  
MARK STRAUSS  
Presiding Officer

COPIES FURNISHED TO:

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*Florida Administrative Law Reports*

Superintendent,  
Bay County Schools  
1311 Balboa Avenue  
Panama City, FL 32401

Personnel Director  
Bay County Schools  
1311 Balboa Avenue  
Panama City, FL 32401

DOE counsel for PPS

Lynette Norr  
Assistant Attorney General

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


Claudia Llado, Clerk  
Division of Administrative Hearings

**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.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing Order was mailed to Teresa Henson, 2166 Sterling Cove Boulevard, Panama City Beach, Florida 32408-4948 and Emily Moore, Esquire, FEA, 213 South Adams Street, Tallahassee, Florida 32301 by Certified U.S. Mail and by electronic mail to Paul Rendleman, Assistant General Counsel, Suite 1232, Turlington Building, 325 West Gaines Street, Tallahassee, Florida, 32399-0400 and J. David Holder, Esquire, 387 Lakeside Drive, DeFuniak Springs, Florida 32435 this 27<sup>th</sup> day of June, 2014.



Gretchen Kelley Brantley, Clerk  
Education Practices Commission