



Before the Education Practices Commission of the State of Florida

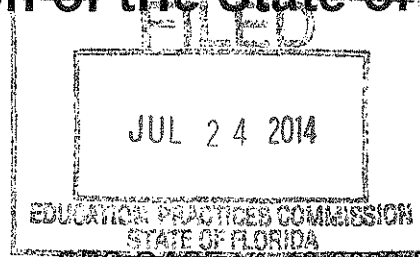
DR. TONY BENNETT
Commissioner of Education,

Petitioner,

vs.

TERESA HENSON,

Respondent



EPC CASE N^o: T3-0322-RT
DOAH CASE N^o: 13-3641PL
INDEX N^o: 14-235-FOF
PPS N^o: 112-2167
CERTIFICATE N^o: 958493

Corrected 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. 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 or 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 the Final Order of the Education Practices Commission. A copy of the Recommended Order and a copy of Respondent's Exceptions are attached hereto.

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 issued a Letter of Reprimand.

5. Respondent is placed on two (2) years of employment PROBATION with the following terms and conditions:

A. Immediately notify the investigative office in the DOE upon employment or termination of employment in the state in any public or private position requiring a Florida educator's certificate;

B. Have his or her immediate supervisor submit annual performance reports to the investigative office in the DOE;

C. Pay to the commission within 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 his or her assigned duties in a competent, professional manner;

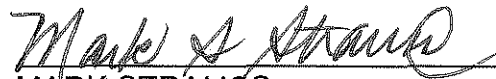
F. Bear all cost of complying with the terms of a final order entered by the commission;

G. Respondent shall not teach self-contained ESE students; and

H. 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 22nd day of July, 2014.

A handwritten signature in cursive script, reading "Mark Strauss", written over a horizontal line.

MARK STRAUSS
Presiding Officer

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Office of Professional Practices
Services

Bureau of Teacher Certification

Florida Administrative Law Reports

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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 24th day of July, 2014.



Gretchen Kelley Brantley, Clerk
Education Practices Commission