



Before the Education Practices Commission of the State of Florida

PAM STEWART,
Commissioner of Education,

Petitioner,

vs.

VADIS JENEEN PRIMUS PARSON,

Respondent.



EPC CASE N° 17-0471-RT
DOAH CASE N° 17-5375PL
PPS N° 156-2627
CERTIFICATE N° 725789
INDEX N°: 18-213-FOF

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 April 12, 2018, in Fort Lauderdale, Florida, for consideration of the Recommended Order (RO) entered in this case by LINZIE F. BOGAN, Administrative Law Judge. Respondent was present. Petitioner was represented by Charles T. Whitelock, Esq. Attached hereto as Exhibit A is a copy of Respondent's Exceptions.

Ruling on Exceptions

Exception No. 1: Respondent filed an exception to paragraph 9 of the RO regarding the phrase "appears to swing." The Commission does not have the authority to change the finding in paragraph 9 unless it disputes the ALJ's impression. The exception is rejected.

Exception No. 2: Respondent filed an exception to paragraph 24 of the RO. There is competent substance evidence to support the finding of fact in paragraph 24. The exception is rejected.

Exception No. 3: Respondent filed an exception to paragraph 14 of the RO. It appears the ALJ relied on evidence not in the record. The exception is granted and paragraph 14 is struck from the Recommended Order.

Respondent filed an exception to the penalty in the recommendation. The exception is rejected.

Findings of Fact

1. The Panel hereby adopts the findings of fact in the Recommended Order, except for paragraph 14 which is being struck. There is competent substantial evidence to support these findings of fact.

Conclusions of Law

1. The Education Practices Commission has jurisdiction of this matter pursuant to Section 120.57(1), Florida Statutes, and Chapter 1012, Florida Statutes.

2. The Panel hereby adopts the conclusions of law in the Recommended Order.

Penalty

Upon a complete review of the record in this case, it is therefore **ORDERED** that:

1. Respondent's Florida educator's certificate is hereby suspended for a period of 2 years from the date of this final order.

2. Upon employment in any public or private position requiring a Florida educator's certificate, Respondent shall be placed on 1 employment year of probation

with the conditions that during that period, (s)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. 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 Classroom Management, which may be taken online, within the probationary period.

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

DONE AND ORDERED, this 8th day of May, 2018.



CHRISTIE GOLD, Presiding Officer

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 furnished VADIS JENEEN PRIMUS PARSON, 2208 Cranford Avenue, Fort Myers, FL 33916 and Robert J. Coleman, Esq., Post office Box 2089, Fort Myers, FL 33902-2089 by Certified U.S. Mail, by electronic mail to Darby Shaw, Deputy General Counsel, Suite 1232, Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399-0400 and Charles T. Whitelock, Esq., 300 Southeast 13th Street, Suite E, Fort Lauderdale, FL 33316-1924 this 8th day of May, 2018.


Lisa Forbess, Clerk
Education Practices Commission

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Office of Professional Practices Services

Bureau of Educator Certification

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Probation