



Before the Education Practices Commission of the State of Florida



RICHARD CORCORAN,
Commissioner of Education,

Petitioner,

vs.

DIANE VELEZ,

Respondent.

EPC CASE No. 20-0320-RT
Index No. 21-061-FOF
DOAH CASE No. 20-0148PL
PPS No. 178-3174
CERTIFICATE No.00007895

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 29, 2021, in Tallahassee, Florida, via video conference call, for consideration of the Recommended Order entered on October 29, 2020, in this case by LISA SHEARER NELSON, Administrative Law Judge. Respondent was not present and was represented by Stephanie Marisa Schaap, Esquire. Petitioner was represented by Bonnie Wilmot, Esquire and Ron Weaver, Esquire. Attached hereto as Exhibit A is a copy of the Recommended Order. Attached as composite Exhibit B are Respondent's Exceptions to Recommended Order and Petitioner's Response to

Respondent's Exceptions to Recommended Order.

Ruling on Exceptions

1. For the reasons stated in the Petitioner's Response to Respondent's Exceptions, the Respondent's exception number 1 to the Findings of Fact is rejected.

2. For the reasons stated in the Petitioner's Response to Respondent's Exceptions, the Respondent's exception number 2 to the Findings of Fact is rejected.

3. For the reasons stated in the Petitioner's Response to Respondent's Exceptions, the Respondent's exception number 3 to the Findings of Fact is rejected.

4. For the reasons stated in the Petitioner's Response to Respondent's Exceptions, the Respondent's exception number 4 to the Findings of Fact is rejected.

5. For the reasons stated in the Petitioner's Response to Respondent's Exceptions, the Respondent's exception number 5 to the Findings of Fact is rejected.

6. For the reasons stated in the Petitioner's Response to Respondent's Exceptions, the Respondent's exception number 6 to the Findings of Fact is rejected.

7. For the reasons stated in the Petitioner's Response to Respondent's Exceptions, the Respondent's exception number 7 to the Findings of Fact is rejected.

8. For the reasons stated in the Petitioner's Response to Respondent's Exceptions, the Respondent's exception number 1 to the Conclusions of Law is rejected.

9. For the reasons stated in the Petitioner's Response to Respondent's Exceptions, the Respondent's exception number 2 to the Conclusions of Law is rejected.

10. For the reasons stated in the Petitioner's Response to Respondent's Exceptions, the Respondent's exception number 3 to the Conclusions of Law is rejected.

11. For the reasons stated in the Petitioner's Response to Respondent's Exceptions, the Respondent's exception number 4 to the Conclusions of Law is rejected.

12. For the reasons stated in the Petitioner's Response to Respondent's Exceptions, the Respondent's exception to the Recommended Penalty is rejected.

Findings of Fact

13. The Panel hereby adopts the findings of fact in the Recommended Order. There is competent substantial evidence to support these findings of fact.

Conclusions of Law

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

15. 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:

16. Respondent's certificate is hereby suspended for one (1) year from the date of this Final Order.

17. Respondent is assessed an administrative fine of \$750.00 to be paid within one year from the date of the Final Order.

18. 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, the Respondent 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.

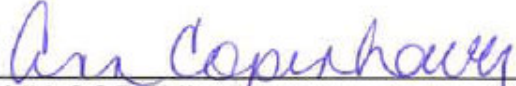
E. Satisfactorily perform all assigned duties in a competent, professional manner.

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 of Education Ethics, which may be taken online, during probation.

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

DONE AND ORDERED, this 5th day of February, 2021.



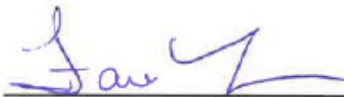
ANN COPENHAVER, Presiding Officer

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 to Diane Velez, 10518 Oak Crest Drive, Jacksonville, Florida 32225 and Stephanie Marisa Schaap, Esquire 1601 Atlantic Boulevard, Jacksonville, FL 32207 by Certified U.S. Mail, by electronic mail to Bonnie Wilmot, Deputy General Counsel, Suite 1544, Turlington, Building, 325 West Gaines Street, Tallahassee, FL 32399 and Ron Weaver, Esquire, P.O. Box 770088, Ocala, FL 34477 this 5th day of February, 2021.



Faith Lenzo, Clerk
Education Practices Commission

COPIES FURNISHED TO:

Office of Professional Practices Services

Bureau of Educator Certification

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Jacksonville, FL 32207-8182

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Claudia Llado, Clerk
Division of Administrative Hearings

Probation Office