



Before the Education Practices Commission of the State of Florida

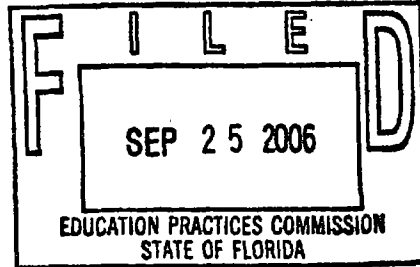
JIM HORNE as the
Commissioner of Education,

Petitioner,

vs.

JENNIFER COLLINS,

Respondent.



CASE N^o: 04-0189-RT
EPC Index N^o 06-327 -FOI

Final Order

Respondent, Jennifer Collins, holds Florida educator's certificate no. 836075. Petitioner has filed an Administrative Complaint seeking suspension, revocation, permanent revocation or other disciplinary action against the certificate. A copy of the Administrative Complaint is attached to and made a part of this Order.

Service of the Administrative Complaint was made upon Respondent by personal service. Respondent has failed to respond to the Administrative Complaint and has not requested a hearing or any other proceeding.

This cause came before a teacher panel of the Education Practices Commission on August 25, 2006, in Tallahassee, Florida. Petitioner was represented by Ronald Stowers, Esquire. Respondent was not present and was not represented.

The Commission finds that Respondent was properly served with the

Administrative Complaint, has failed to respond timely, and has waived any right to be heard.

Since Respondent has not replied to the Administrative Complaint and has not contested the factual allegations, Petitioner offered the investigative file into evidence to prove the facts as alleged in the Administrative Complaint. The Commission finds these materials clearly and convincingly support the allegation and establish a prima facie case.

FINDINGS OF FACT

The allegations of fact in paragraphs 1 through 3 of the Administrative Complaint are adopted as findings of fact by the panel.

CONCLUSIONS OF LAW

1. The conclusions of law alleged in Counts 1 through 11 of the Administrative Complaint are adopted as conclusions of law by the panel.
2. There is competent, substantial evidence to support the panel's conclusions.
3. The violations committed by Respondent warrant disciplinary action by the Education Practices Commission.

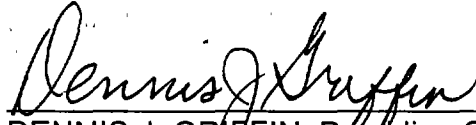
PENALTY

Upon consideration, it is ORDERED:

Respondent's Florida educator certificate is hereby permanently revoked, and Respondent is permanently barred from applying for another Florida educator's certificate.

This order shall become effective upon filing with the Clerk of the Commission.

DONE AND ORDERED, this 14TH day of SEPT., 2006.


DENNIS J. GRIFFIN, Presiding Officer

COPIES FURNISHED TO:

Bureau of Professional Practices

Bureau of Teacher Certification

Florida Administrative Law Reports

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Brevard County Schools
2700 Judge Fran Jamieson Way
Viera, FL 32940-6699

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Ronald G. Stowers,
DOE Counsel for PPS

Daniel Biggins
Assistant Attorney General

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.

**STATE OF FLORIDA
EDUCATION PRACTICES COMMISSION**

**JIM HORNE, as
Commissioner of Education,**

Petitioner,

vs.

CASE NO. 012-0106-M

JENNIFER A. COLLINS,

Respondent.

ADMINISTRATIVE COMPLAINT

Petitioner, Jim Horne, as Commissioner of Education, files this Administrative Complaint against JENNIFER A. COLLINS. The Petitioner seeks the appropriate disciplinary sanction of the Respondent's educator's certificate pursuant to Sections 1012.795 and 1012.796, Florida Statutes, and pursuant to Rule 6B-1.006, Florida Administrative Code, Principles of Professional Conduct for the Education Profession in Florida, said sanctions specifically set forth in Sections 1012.795(1) and 1012.796(7), Florida Statutes.

The Petitioner alleges:

JURISDICTION

1. The Respondent holds Florida Educator's Certificate 836075, covering the areas of Psychology, which is valid through June 30, 2003.
2. At all times pertinent hereto, the Respondent was employed as a Teacher at North Area Abeyance Center School, in the Brevard County School District.

MATERIAL ALLEGATIONS

3. On or about May 8, 2002, Respondent was adjudicated guilty of two counts of Lewd and Lascivious Battery relating to a 14-year-old, male student. Among the penalties imposed against Respondent by the court was 2 years community control followed by 10 years of sex offender probation. The court also ordered Respondent to surrender her Educator's Certificate.

STATUTE VIOLATIONS

COUNT 1: The Respondent is in violation of Section 1012.795(1)(c), Florida Statutes, in that Respondent has been guilty of gross immorality or an act involving moral turpitude.

COUNT 2: The Respondent is in violation of Section 1012.795(1)(e), Florida Statutes, in that Respondent has been convicted of a misdemeanor, felony, or other criminal charge, other than a minor traffic violation.

COUNT 3: The Respondent is in violation of Section 1012.795(1)(f), Florida Statutes, in that Respondent has been found guilty of personal conduct which seriously reduces her effectiveness as an employee of the school board.

COUNT 4: The Respondent is in violation of Section 1012.795(1)(i), Florida Statutes, in that Respondent has violated the Principles of Professional Conduct for the Education Profession prescribed by State Board of Education rules.

COUNT 5: The Respondent is subject to Section 1012.795(1)(l), Florida Statutes, in that Respondent has been required by court order or plea agreement to surrender or otherwise relinquish her educator's certificate.

COUNT 6: The Respondent is in violation of Section 1012.795(2), Florida Statutes, which provides that the plea of guilty in any court or the decision of guilty by any court is prima facie proof of grounds for the revocation of the certificate.

RULE VIOLATIONS

COUNT 7: The allegations of misconduct set forth herein are in violation of Rule 6B-1.006(3)(a), Florida Administrative Code, in that Respondent has failed to make reasonable effort to protect the student from conditions harmful to learning and/or to the student's mental health and/or physical health and/or safety.

COUNT 8: The allegations of misconduct set forth herein are in violation of Rule 6B-1.006(3)(e), Florida Administrative Code, in that Respondent has intentionally exposed a student to unnecessary embarrassment or disparagement.

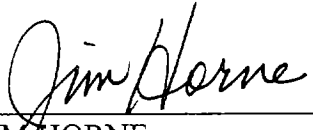
COUNT 9: The allegations of misconduct set forth herein are in violation of Rule 6B-1.006(3)(g), Florida Administrative Code, in that Respondent has harassed or discriminated against a student on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition, sexual orientation, or social and family background and shall make reasonable effort to assure that each student is protected from harassment or discrimination.

COUNT 10: The allegations of misconduct set forth herein are in violation of Rule 6B-1.006(3)(h), Florida Administrative Code, in that Respondent has exploited a relationship with a student for personal gain or advantage.

COUNT 11: The allegations of misconduct set forth herein are in violation of Rule 6B-1.006(4)(c), Florida Administrative Code, in that Respondent has used institutional privileges for personal gain or advantage.

WHEREFORE, the Petitioner recommends that the Education Practices Commission impose an appropriate penalty pursuant to the authority provided in Sections 1012.795(1) and 1012.796(7), Florida Statutes, which penalty may include a reprimand, probation, restriction of the authorized scope of practice, administrative fine, suspension of the teaching certificate not to exceed three years, permanent revocation of the teaching certificate, or combination thereof, for the reasons set forth herein, and in accordance with the Explanation and Election of Rights forms which are attached hereto and made a part hereof by reference.

EXECUTED on this 27th day of July, 2004.



JIM HORNE, as
Commissioner of Education
State of Florida