



# Before the Education Practices Commission of the State of Florida

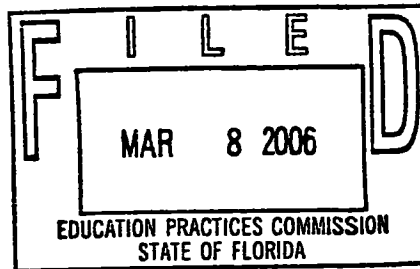
JOHN L. WINN as the  
Commissioner of Education,

Petitioner,

vs.

WILLIAM RATTERMAN,

Respondent.



CASE N° 05-0340-RT  
EPC INDEX N° 06-110-AS

## Final Order

Respondent, WILLIAM RATTERMAN, holds Florida educator's certificate no.371002. Petitioner has filed an Administrative Complaint seeking suspension, revocation, permanent revocation or other disciplinary action against the certificate.

Petitioner and Respondent have entered into a Settlement Agreement for resolution of this cause. The Settlement Agreement and the Administrative Complaint are attached to and made a part of this Final Order.

A Teacher Panel of the Education Practices Commission met on February 24, 2006, in Tampa, Florida. The Commission accepts the Settlement Agreement as the appropriate resolution of this cause.

It is therefore ORDERED that the Settlement Agreement is hereby ACCEPTED and Respondent shall comply with its terms and conditions.

This Order takes effect upon filing.

DONE AND ORDERED, this 24 day of February, 2006.

BRIAN DONOVAN, Presiding Officer

COPIES FURNISHED TO:

Bureau of Professional Practices

Bureau of Teacher Certification

*Florida Administrative Law Reports*

DOE Counsel for PPS

Daniel R. Biggins – EPC Legal Counsel

Probation Office

Recovery Network Program

Superintendent  
Brevard County Schools  
2700 Judge Fran Jamieson Way  
Viera, Fl. 32940-6699

Human Resources  
Brevard County Schools  
2700 Judge Fran Jamieson Way  
Viera, Fl. 32940-6699

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing Order in the matter of JOHN L. WINN v. WILLIAM RATTERMAN was furnished to William Ratterman, [REDACTED] Merritt Island, Florida 32953 and Mary F. Aspros, P.O. Box 1547, Tallahassee, Florida 32302 this 8<sup>th</sup> day of March, 2006, by Certified U.S. Mail.

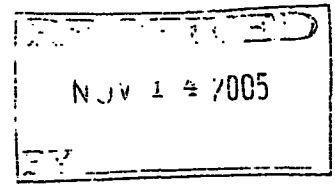


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Education Practices Commission

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STATE OF FLORIDA  
EDUCATION PRACTICES COMMISSION



**JOHN L. WINN, as Commissioner  
of Education,**

**Petitioner,**

vs.

**CASE NO. 023-0126-M**

**WILLIAM J. RATTERMAN,**

**Respondent.**

\_\_\_\_\_ /

**SETTLEMENT AGREEMENT**

Petitioner and Respondent hereby stipulate and agree as follows:

1. **Certification.** Respondent holds Florida Educator's Certificate Number 371002 issued by the Department of Education covering the areas of Social Science and Driver Education which is was valid through June 30, 2010.

2. **Employment.** At all times pertinent hereto, Respondent was employed as a History Teacher at Johnson Middle School in the Brevard County School District.

3. **Allegations.** Respondent neither admits nor denies, but elects not to contest the allegations set forth in Petitioner's Administrative Complaint, which are incorporated herein by reference.

4. **Letter of Reprimand.** Respondent agrees to accept a letter of reprimand, a copy of which shall be placed in his certification file with the Department of Education and a copy of which shall be placed in his personnel file with the employing school district.

5. **Recovery Network Program.**

a. **Evaluation.** Respondent agrees to:

1) submit to an evaluation relating to the issues cited in the Administrative Complaint as determined by the Recovery Network Program (RNP) and conducted by a Florida licensed psychologist, psychiatrist or mental health counselor approved by the RNP;

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2) provide the RNP written verification from the treatment provider(s) of successful completion of the evaluation within sixty (60) days of issuance of the Final Order accepting this Settlement Agreement OR within sixty (60) days of the initial date of employment in a position requiring a Florida educator's certificate, whichever occurs later, and authorize the RNP to release evidence of satisfaction of this requirement directly to any employing school district or private or charter school;

3) undergo any counseling or treatment as may be prescribed by said professional;

4) provide the RNP and the employing school district or private or charter school with written verification from the treatment provider(s), of completion of all recommended treatments within sixty (60) days of completion; and

b. **Written Verification.** Respondent agrees to:

1) provide the RNP and the employing school district or private or charter school with written verification from the treatment provider(s), to the degree that the treatment provider(s) may ethically predict, that Respondent poses no risk of threat or harm to the safety or well-being of students within sixty (60) days of issuance of the Final Order accepting this Settlement Agreement OR within sixty (60) days of the initial date of employment in a position requiring a Florida educator's certificate, whichever occurs later; and

2) provide the RNP and the employing school district or private or charter school with written verification from the treatment provider (s) that Respondent is capable of performing his responsibilities as an educator within sixty (60) days of issuance of the Final Order accepting this Settlement Agreement OR within sixty (60) days of the initial date of employment in a position requiring a Florida educator's certificate, whichever occurs later.

c. **Prior Evaluation.** If Respondent has undergone evaluation(s) and treatment and/or counseling after the incident(s) alleged in the Administrative Complaint, the evaluation(s) and treatment and/or counseling may be used in lieu of the evaluation(s) and treatment and/or counseling agreed to herein, if acceptable to the RNP.

d. **Employment.** If Respondent is not employed in a position requiring a Florida educator's certificate on the date, or within one (1) year of the date, the initial RNP evaluation(s) required herein are performed, Respondent agrees to submit to follow-up evaluation(s) as determined by the RNP within sixty (60) days of being employed in such a position.

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COMMISSION  
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e. **Costs.** Respondent shall bear responsibility for all costs associated with the evaluation, treatment and counseling.

6. **Fine.** Respondent agrees to pay a fine in the amount of \$500.00 to the EPC within one (1) year of the date of the Final Order accepting this Settlement Agreement.

7. **Violation.** In the event Respondent fails to comply with each condition set forth herein, he agrees that the Petitioner shall be authorized to file an Administrative Complaint or a Notice of Violation with the EPC seeking sanctions against his Florida educator's certificate up to and including permanent revocation of his Florida educator's certificate and a permanent bar from re-application for a Florida educator's certificate, based upon the violation of the terms of this Settlement Agreement.

8. **Costs and Fees.** Respondent agrees that any costs associated with the fulfillment of the terms of this Settlement Agreement shall be his sole responsibility. These costs include, but are not limited to, those associated with the Recovery Network Program (RNP) and Probation, if applicable. The Probation monitoring fee shall be held in abeyance if Respondent is not employed as an educator pursuant to the terms of the Probation.

9. **Force and Effect.** This Settlement Agreement constitutes an offer of settlement of disputed issues of material fact until accepted and executed by all parties. The Settlement Agreement is void and has no force or effect unless executed by all parties and accepted by the EPC. If the Settlement Agreement is not accepted and executed by all parties, the terms herein shall be inadmissible in any subsequent formal or informal administrative hearing or in any other legal action between the parties.

10. **Notice of "Three Strikes" Provision.** Respondent is hereby put on notice that Section 1012.795(6)(b), Florida Statutes (2004), provides for permanent revocation of an educator's certificate under certain circumstances when the educator's certificate has been sanctioned by the Education Practices Commission on two (2) previous occasions.

11. **Waiver of Rights.** Respondent understands provisions of this Settlement Agreement, their legal effect, and his rights under Florida law to a formal hearing before a duly designated administrative law judge of the Division of Administrative Hearings (DOAH) or an informal hearing before the EPC. Respondent specifically waives his right to both a formal and an informal hearing, except he may appear before the EPC in order to urge the adoption of this Settlement Agreement. Respondent further acknowledges that he is under no duress, coercion or undue influence to execute this Settlement Agreement and that he has had the opportunity to receive the advice of legal counsel prior to signing this Settlement Agreement.

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SESSION

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12. **Approval.** When fully executed, this Settlement Agreement shall be submitted to the EPC with the joint request by the parties that the EPC accept and adopt the terms of this Settlement Agreement as the basis for its Final Order in this proceeding. The parties understand that the EPC has the discretion to reject this Settlement Agreement and order a full evidentiary hearing on the allegations of the Administrative Complaint if, in the exercise of its discretion, it deems such action to be appropriate.

13. **Notice.** Respondent waives all statutory and regulatory provisions concerning notice of hearing and agrees that this Settlement Agreement may be presented to the EPC for consideration at its next available scheduled meeting, provided that Respondent is given reasonable advanced notice of time, place and date of said meeting.

(SIGNATURES AND NOTARIZATION ON FOLLOWING PAGE)

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IN WITNESS WHEREOF, the parties have executed this Settlement Agreement on this  
3<sup>rd</sup> day of Nov., 2005.

William J. Ratterman  
WILLIAM J. RATTERMAN

STATE OF FLORIDA  
COUNTY OF Brevard

The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of  
Nov., 2005, by William J. Ratterman,  
who is \_\_\_\_\_ personally known or produced FLDL \_\_\_\_\_  
as identification [type of identification produced].



Linda Daniels  
NOTARY PUBLIC  
My commission expires: 05-21-06

Ronald G. Stowers  
RONALD G. STOWERS  
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Mary F. Aspros  
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Tallahassee, Florida 32301  
Telephone (850) 878-5212  
Facsimile (850) 656-6750  
  
ATTORNEY FOR RESPONDENT



**EDUCATION PRACTICES COMMISSION**  
**STATE OF FLORIDA**

**KATHLEEN RICHARDS**  
Executive Director

**DEBORAH SHEPARD**  
Chairperson

**DANIEL R. BIGGINS**  
Legal Counsel

**LUCILE CASEY**  
Co-Chairperson

February 24, 2006

William Ratterman  
[REDACTED]

Merritt Island, Florida 32953

Re: John L. Winn vs. William Ratterman  
EPC No.: 05-0340-RT; DOE No.: 371002

Dear Mr. Ratterman:

As you know, the teacher panel of the Education Practices Commission reviewed the matter pending against you. Based upon the panel's consideration of this matter and upon the panel's acceptance of your Settlement Agreement, you are hereby reprimanded.

This panel, composed of your peers, believes that, as a teacher, you are required to exercise a measure of leadership beyond reproach. By your actions, you have lessened the reputation of all who practice our profession. The profession cannot condone your actions, nor can the public who employ us.

The Education Practices Commission sincerely hopes it is your intention to never allow this situation to occur again or indeed, to violate any professional obligation in fulfilling your responsibilities as an educator. To violate the standards of the profession will surely result in further action being taken against you.

This letter of reprimand is being placed in your state certification file, and a copy is being sent to the Brevard County School Board for placement in your personnel file.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Donovan".

Brian Donovan  
Presiding Officer



**STATE OF FLORIDA  
EDUCATION PRACTICES COMMISSION**

**JOHN L. WINN, as  
Commissioner of Education,**

**Petitioner,**

vs.

**CASE NO. 023-0126-M**

**WILLIAM J. RATTERMAN,**

**Respondent.**

\_\_\_\_\_ /

**ADMINISTRATIVE COMPLAINT**

Petitioner, John L. Winn, as Commissioner of Education, files this Administrative Complaint against WILLIAM J. RATTERMAN. 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 371002, covering the areas of Social Science and Driver Education, which is valid through June 30, 2005.
2. At all times pertinent hereto, the Respondent was employed as a History Teacher at Johnson Middle School in the Brevard County School District.

**MATERIAL ALLEGATIONS**

3. On or about October 6, 2001, Respondent engaged in a confrontation with another restaurant patron in the parking lot. Respondent directed profanity at and threatened the other patron with a baseball bat (or other club-like object) and hit the patron's vehicle with the bat. Respondent bent the passenger side wind shield wiper back, making it inoperable. Respondent grabbed the patron by the throat through the open window. Respondent left the scene, before law enforcement arrived. Respondent was arrested and charged with Aggravated Assault with a Deadly Weapon, Battery and Criminal Mischief. Respondent knowingly and unlawfully failed to disclose his

employment status to the law enforcement officer(s) responding to the scene. Respondent also knowingly and unlawfully failed to timely disclose the incident to appropriate school district officials. On or about July 18, 2003, the state attorney's office nolle prossed the charges following Respondent's completion of a pre-trial intervention program.

### **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)(i), Florida Statutes, in that Respondent has violated the Principles of Professional Conduct for the Education Profession prescribed by State Board of Education rules.

### **RULE VIOLATIONS**

**COUNT 3:** The allegations of misconduct set forth herein are in violation of Rule 6B-1.006(5)(a), Florida Administrative Code, in that Respondent has failed to maintain honesty in all professional dealings.

**COUNT 4:** The Respondent is in violation of Rule 6B.1006(5)(m), Florida Administrative Code, in that Respondent has failed to self-report within forty-eight (48) hours to appropriate authorities (as determined by district) any arrests/charges involving the abuse of a child or the sale and/or possession of a controlled substance. Such notice shall not be considered an admission of guilt nor shall such notice be admissible for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory. In addition, Respondent shall self-report any conviction, finding of guilt, withholding of adjudication, commitment to a pretrial diversion program, or entering of a plea of guilty or Nolo Contendere for any criminal offense other than a minor traffic violation within forty-eight (48) hours after the final judgment. When handling sealed and expunged records disclosed under this rule, school districts shall comply with the confidentiality provisions of Sections 943.0585(4)(c) and 943.059(4)(c), Florida Statutes.

**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 1 day of June, 2005.



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JOHN L. WINN, as  
Commissioner of Education  
State of Florida