



Before the Education Practices Commission of the State of Florida

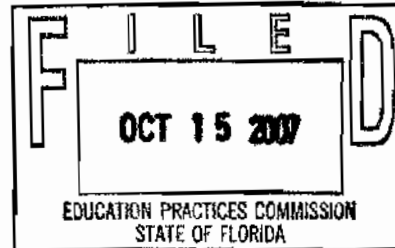
JOHN L. WINN as the
Commissioner of Education,

Petitioner,

vs.

JOHN LACASSE,

Respondent.



CASE N^o: 06-0484-RA
EPC Index N^o 07-428-FOI

Amended Final Order

Respondent, John LaCasse, holds Florida educator's certificate no. 563621. 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 Amended Final Order.

An Administrator Panel of the Education Practices Commission previously met on May 31, 2007, in Tampa, Florida and accepted the Settlement Agreement as the appropriate resolution of this cause. On September 20, 2007, an Administrator Panel met in Tampa Florida to consider a motion by the parties to amend the Final Order. After consideration of the matter, the Motion to Amend Final Order is hereby Granted.


The dates of suspension in paragraph 4 of the Settlement Agreement portion of the Final Order are hereby amended from:

1. "July 1, 2007 through August 1, 2007" to "June 15, 2007 through July 15, 2007;" and from
2. "July 1, 2008 through August 1, 2008" to "June 15, 2008 through July 15, 2008."

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

This Order becomes effective upon filing.

DONE AND ORDERED, this 20 day of September, 2007.


DENNIS J. GRIFFIN, Presiding Officer

COPIES FURNISHED TO:

Bureau of Professional Practices

Bureau of Teacher Certification

Florida Administrative Law Reports

Superintendent
Broward County Schools
600 S.E. 3rd Ave.
Ft. Lauderdale, FL 33301-3125

Executive Director, Professional
Standards
Broward County Schools
600 S.E. 3rd Ave.

NOTICE OF RIGHT TO JUDICIAL REVIEW

UNLESS WAIVED, 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.



Before the Education Practices Commission of the State of Florida

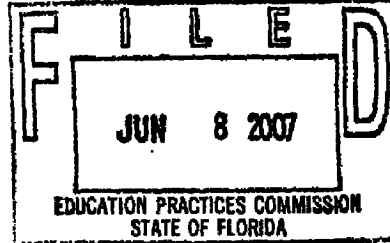
JOHN L. WINN as the
Commissioner of Education,

Petitioner,

vs.

JOHN LACASSE,

Respondent.



CASE N^o: 06-0484-RA
EPC Index N^o 07-200-AS

Final Order

Respondent, John LaCasse, holds Florida educator's certificate no. 563621. 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.

An Administrator Panel of the Education Practices Commission met on May 31, 2007, 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 becomes effective upon filing.

DONE AND ORDERED, this 31st day of May, 2007.



DANE GILBERT, Presiding Officer

COPIES FURNISHED TO:

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Florida Administrative Law Reports

Superintendent
Broward County Schools
600 S.E. 3rd Ave.
Ft. Lauderdale, FL 33301-3125

Executive Director, Professional
Standards
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600 S.E. 3rd Ave.
Ft. Lauderdale, FL 33301-3125

Recovery Network Program

Probation Office

Charles T. Whitelock, Attorney at Law

Ronald G. Stowers
DOE counsel for PPS

Daniel Biggins
Assistant Attorney General

NOTICE OF RIGHT TO JUDICIAL REVIEW

UNLESS WAIVED, 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 John LaCasse, 13401 SW 30th court, Davie, Florida 33330; and Robert A. Sugarman, Esquire, 2801 Ponce De Leon Blvd., Coral Gables, Florida 33134 this 8 day of June, 2007 by Certified U.S. Mail.



DON D. SHIELDS
Education Practices Commission

STATE OF FLORIDA
EDUCATION PRACTICES COMMISSION

JOHN L. WINN, as Commissioner
of Education,

Petitioner,

vs.

CASE NO. 023-0516-M

JOHN R. LACASSE,

Respondent.

RECEIVED
MAR 18 2007

SETTLEMENT AGREEMENT

Petitioner and Respondent hereby stipulate and agree as follows:

1. **Certification.** Respondent holds Florida Educator's Certificate Number 563621 issued by the Department of Education covering the areas of English to Speakers of Other Languages and School Principal, which is valid through June 30, 2010.
2. **Employment.** At all times pertinent hereto, Respondent was employed as a Principal at Nova High School in the Broward 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. **Suspension.** Respondent agrees to accept two (2) periods of suspension of his Florida educator's certificate:
 1. The first period of suspension of his Florida educator's certificate, effective from July 1, 2007 through August 1, 2007.
 2. The second period of suspension of his Florida educator's certificate, effective from July 1, 2008 through August 1, 2008. (Suspension means that Respondent may not be employed by any district school board or any other public school or in a position requiring a Florida educator's certificate in a private school during the period of suspension; however, if applicable, Respondent may renew the certificate).

5. **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.

6. **Recovery Network Program.**

a. **Substance Abuse 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 substance abuse counselor approved by the RNP;

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;

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.

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

7. **Probation.** Respondent agrees that he shall be placed on probation for a period of three (3) employment years. If Respondent is currently employed in a position requiring a Florida educator's certificate, probation shall begin upon the issuance of the Final Order by the Education Practices Commission (EPC) provided the EPC has accepted this Settlement Agreement. If Respondent is not currently employed in a position requiring a Florida educator's certificate, probation shall begin upon his re-employment in such a position. In the event Respondent's employment is interrupted for any reason prior to the expiration of probation, the probation shall be tolled until Respondent resumes employment in a position requiring a Florida educator's certificate. As conditions of probation, Respondent:

a. shall immediately contact the Department of Education upon employment in Florida in a position requiring a Florida educator's certificate or upon termination from such a position. If currently employed in such a position, Respondent shall contact the Department of Education within ten (10) days of the issuance of the Final Order accepting this Settlement Agreement and Respondent shall provide the Department of Education with the name and address of his work site as well as the name, address and telephone number of his immediate supervisor.

b. shall make arrangements for his immediate supervisor to provide the EPC with a true and accurate copy of each written annual performance evaluation or assessment prepared by his supervisor within ten (10) days of its preparation;

c. shall pay to the EPC \$150.00 within the first six (6) months of each probation year to defray the costs of monitoring probation;

d. shall, within the first year of probation, take a 3-credit hour college level course in the area of ethics. The class may be taken in person, or from accredited on-line source, and submit an official college transcript verifying successful completion of same with a grade of "B" or higher to the Department of Education;

e. shall not consume, inject or ingest of any controlled substances unless prescribed or administered for legitimate medical purposes;

f. shall violate no law and fully comply with all district school board regulations, school rules, and State Board of Education Rule 6B-1.006; and

g. shall satisfactorily perform his duties in a competent, professional manner.

8. **Fine.** Respondent agrees to pay a fine in the amount of \$7,500.00 to the Education Practices Commission. The first \$2,500.00 is due within thirty (30) days of the Final Order accepting this Settlement Agreement. Respondent shall pay \$2,500.00 during the second year of

probation. Respondent shall pay the last \$2,500.00 during the third year of probation.

9. **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.

10. **Costs and Fees.** Respondent agrees that any costs associated with the fulfillment of the terms of this Settlement Agreement shall be his sole responsibility. Those 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.

11. **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.

12. **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.

13. **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.

14. **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.

15. **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)

IN WITNESS WHEREOF, the parties have executed this Settlement Agreement on this 13 day of march, 2007.

John R. Lacasse
JOHN R. LACASSE

STATE OF FLORIDA
COUNTY OF Broward

The foregoing instrument was acknowledged before me this 13 day of march, 2007, by _____, who is _____ personally known or produced _____ as identification [type of identification produced].

April R. Kadel
NOTARY PUBLIC
My commission expires:  April Kadel
My Commission DD304361
Expires March 29, 2008

CHARLES T. WHITLOCK, ESQUIRE
Whitlock & Associates, P.A.
300 Southeast 13th Street
Fort Lauderdale, Florida 33316
Telephone (954) 463-2001
Facsimile (954) 463-0410

ATTORNEY FOR PETITIONER

ROBERT SUGARMAN, ESQUIRE
Sugarman & Susskind
2801 Ponce De Leon Boulevard, Suite 750
Coral Gables, Florida 33134
Telephone (305) 529-2801
Facsimile (305) 4478115

ATTORNEY FOR RESPONDENT

RECEIVED
MAR 19 2007

**STATE OF FLORIDA
EDUCATION PRACTICES COMMISSION**

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

Petitioner,

vs.

CASE NO. 023-0516-M

JOHN R. LACASSE,

Respondent.

ADMINISTRATIVE COMPLAINT

Petitioner, John L. Winn, as Commissioner of Education, files this Administrative Complaint against JOHN R. LACASSE. 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 563621, covering the areas of English to Speakers of Other Languages and School Principal, which is valid through June 30, 2005.

2. At all times pertinent hereto, the Respondent was employed as a Principal at Nova High School in the Broward County School District.

MATERIAL ALLEGATIONS

3. On or about May 18, 2002, Respondent was under the influence of alcohol at the school prom. That evening, and in the following weeks during school hours, several faculty members and students openly expressed disapproval of Respondent because of his behavior at the prom.

4. On or about January 10, 2005, through counsel, Respondent made false and/or malicious statements about several assistant principals, teachers, other staff members, and students of the school in documentation provided to a Professional Practices Services investigator.

Respondent further provided the investigator with copies of correspondence and information relating to the confidential medical conditions of an assistant principal and a staff member. Respondent also represented to the investigator that district investigations were opened on his colleagues for ethical violations, when in fact no such action had been taken.

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)(f), Florida Statutes, in that Respondent has been found guilty of personal conduct which seriously reduces his effectiveness as an employee of the school board.

COUNT 3 : 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 4 : 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 5 : 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 6 : The allegations of misconduct set forth herein are in violation of Rule 6B-1.006(3)(i), Florida Administrative Code, in that Respondent has failed to keep in confidence personally identifiable information obtained in the course of professional services, unless disclosure serves professional purposes or is required by law.

COUNT 7 : 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 8: The allegations of misconduct set forth herein are in violation of Rule 6B-1.006(5)(e), Florida Administrative Code, in that Respondent has made malicious or intentionally false statements about a colleague.

COUNT 9: The Respondent is in violation of Rule 6B.1006(5)(h), Florida Administrative Code, in that Respondent has submitted fraudulent information on a document in connection with professional activities.

COUNT 10: The Respondent is in violation of Rule 6B.1006(5)(o), Florida Administrative Code, in that Respondent sought reprisal against any individual who has reported an allegation of a violation of the Florida School Code or State Board of Education Rules as defined in Section 1012.795(1), 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 22 day of July, 2005.



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



EDUCATION PRACTICES COMMISSION
STATE OF FLORIDA

KATHLEEN RICHARDS
Executive Director

DEBORAH SHEPARD
Chairperson

DANIEL BIGGINS
Assistant Attorney General

DENNIS GRIFFIN
Co-Chairperson

May 31, 2007

John LaCasse
13401 Southwest 30th Court
Davie, Florida 33330

Re: John L. Winn vs. John LaCasse
EPC No.: 06-0484-RA; DOE No.: 563621

Dear Mr. LaCasse:

As you know, the administrator 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 an administrator, 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 Broward County School Board for placement in your personnel file.

Sincerely,

A handwritten signature in cursive script that reads "Dane Gilbert".

Dane Gilbert
Presiding Officer