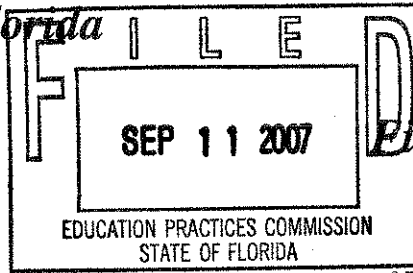




*Before the Education Practices Commission
of the State of Florida*



Final Order

IN RE: Administrative Complaint seeking disciplinary action against the Educator's Certificate of **Daniel Cliatt**.

CASE NO. 07-0421-RT
EPC INDEX NO. 07-351-FON

An Administrative Complaint seeking disciplinary action against the educator's certificate of Respondent, **Daniel Cliatt**, was filed by **JEANINE BLOMBERG**, as Commissioner of Education on, July 16, 2007.

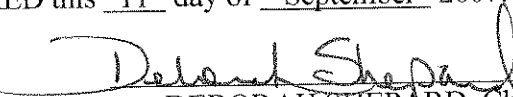
Respondent, holder of Florida educator's certificate number 822045, was served with a copy of the Administrative Complaint. Respondent has filed an answer to the Administrative Complaint stating that he did not wish to contest the charges, that he waived any further rights to due process or a public hearing, that he surrendered his certificate for permanent revocation, and that all his actions were free and voluntary.

The Administrative Complaint and the answers are incorporated as part of this Order.

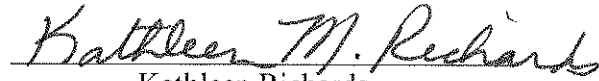
In consideration of the foregoing, the Education Practices Commission, as empowered by F.S. 1012.796, hereby **PERMANENTLY REVOKES** educator's certificate number, 822045, held by , **Daniel Cliatt**.

Reapplication will not be considered.

DONE AND ORDERED this 11 day of September 2007.


DEBORAH SHEPARD, Chairperson
Education Practices Commission

I HEREBY CERTIFY that a copy of the foregoing Order in the matter of **JEANINE BLOMBERG** vs. **Daniel Cliatt** was furnished to **Daniel Cliatt**, at Lake C.I., 19225 U. S. Highway 27, Clermont, FL 34715 this 11 day of September 2007, by U. S. Mail.



Kathleen Richards

Education Practices Commission

COPIES FURNISHED TO:

Bureau of Professional Practices

Bureau of Teacher Certification

Florida Administrative Law Reports
P. O. Box 385
Gainesville, Florida 32602

Superintendent
Brevard County School Board
2700 Judge Fran Jamieson Way
Viera, Florida 32940-6699

Human Resources Services
Brevard County School Board
2700 Judge Fran Jamieson Way
Viera, Florida 32940-6699

Daniel Biggins, Assistant Attorney General
The Capital Plaza Level 1
Tallahassee, Florida 32399

Bonnie Wilmot, Esquire
Office of General Counsel
Florida Department of Education
325 W. Gaines Street, Suite 1232
Tallahassee, Florida 32399-0400

ELECTION OF RIGHTS

Petitioner,
Jeanine Blomberg, Commissioner of Education.

vs.

Respondent
DANIEL TRAVIS CLIATT, #E29260

File No.: 045-2924-M

Signify your election by checking the appropriate option:

- 1. [] FORMAL HEARING OPTION I dispute the allegations of the Administrative Complaint and I request a Formal Hearing before a Hearing Officer of the Division of Administrative Hearings.
The allegations I dispute are:
a.
b.
c. Attach additional sheet(s) if needed.
2. [] INFORMAL HEARING OPTION I do not dispute the allegations of the Administrative Complaint and request an Informal Hearing before the Education Practices Commission.
3. [X] SURRENDER OPTION I voluntarily surrender my certificate(s) for permanent revocation.
4. [] SETTLEMENT OPTION I request a forty-five (45) day period of time to try to negotiate a settlement with the Office of Professional Practices Services at (850) 245-0438.

I understand that I will be given notice of any date set for a Formal or Informal Hearing. I have read the Explanation of Rights, fully understand and/or have been advised of my legal rights. (If you do not understand your options, contact the Office of Professional Practices Services at (850) 245-0438.)

(EXECUTION BEFORE A NOTARY PUBLIC NOT REQUIRED IF CHOOSING OPTION 1)

Signature of Respondent
Daniel Cliatt

Street Address

City
Clermont, FL 34715

Telephone No.

STATE OF FLORIDA
COUNTY OF Lake
The foregoing instrument was acknowledged before me this 30 day of August, 2007.

Signature of Notary Public
Gail C. Anderson
(Print Respondent's Name)
Daniel Travis Cliatt

NOTARY PUBLIC-STATE OF FLORIDA
Gail C. Anderson
Commission # DD400778
Expires: APR. 24, 2009
Bonded thru Atlantic Bonding Co., Inc.

Personally Known or Produced Identification Type of Identification Produced
Commissioned Name of Notary Public

**STATE OF FLORIDA
EDUCATION PRACTICES COMMISSION**

**JEANINE BLOMBERG, as
Commissioner of Education,**

Petitioner,

vs.

CASE NO. 045-2924-M

DANIEL TRAVIS CLIATT,

Respondent.

ADMINISTRATIVE COMPLAINT

Petitioner, Jeanine Blomberg, as Commissioner of Education, files this Administrative Complaint against DANIEL TRAVIS CLIATT. 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 822045, covering the areas of Elementary Education, which is valid through June 30, 2009.
2. At all times pertinent hereto, the Respondent was employed as a Teacher at Endeavor Elementary School in the Brevard County School District.

MATERIAL ALLEGATIONS

3. On or about January 16, 2007, Respondent pled and the court adjudicated him guilty of one count of Soliciting Lewd or Lascivious Conduct, one count of Providing Obscene Material to Minor, 5 counts of Sexual Battery on a Child by a Person in Familial or Custodial Authority and 6 counts of Lewd or Lascivious Molestation. Among other things, the court sentenced Respondent to 70 years in jail followed by probation for life.

The Petitioner charges:

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 his 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 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 6: 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 7: 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 8: 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 9: 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 10: 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.

COUNT 11: The allegations of misconduct set forth herein are in violation of Rule 6B-1.006(4)(e), Florida Administrative Code, in that Respondent has offered gratuity, gift, or favor to obtain special advantages.

(SIGNATURE ON FOLLOWING PAGE)

WHEREFORE, based on the reasons set forth herein and in accordance with the Explanation of Rights and Election of Rights forms attached to and made a part of this Administrative Complaint, Petitioner respectfully recommends that the Education Practices Commission impose an appropriate sanction against the Respondent's educator's certificate pursuant to the authority provided in Sections 1012.795(1) and 1012.796(7), Florida Statutes. The sanctions imposed by the Education Practices Commission may include, but are not limited to, any one or a combination of the following: issuing the Respondent a written reprimand; placing the Respondent on probation for any period of time; restricting the Respondent's authorized scope of practice; assessing the Respondent an administrative fine; directing the Respondent to enroll in the Recovery Network Program; suspending the Respondent's educator's certificate for a period of time not to exceed five years; revoking the Respondent's educator's certificate for a period of time up to 10 years or permanently; or barring the Respondent from reapplying for an educator's certificate for a period of time up to 10 years or permanently.

EXECUTED on this 16 day of July, 2007.



JEANINE BLOMBERG, as
Commissioner of Education
State of Florida