



# Before the Education Practices Commission of the State of Florida

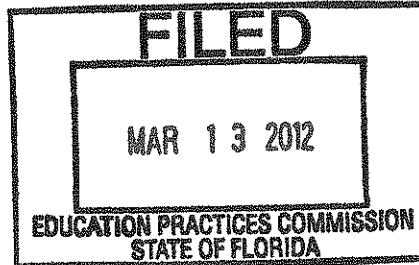
JOHN L. WINN, as the  
Commissioner of Education,

Petitioner,

vs.

NICOLE MEGLIO,

Respondent.



EPC CASE N°: 11-0429-RT  
Index N° 12-084-AS  
PPS N° 101-1814

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## Final Order

Respondent, Nicole Meglio, holds Florida educator's certificate no. 1130207. 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 March 9, 2012, in Orlando, 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 9<sup>th</sup> day of **March**, 2012.

  
MARK STRAUSS, Presiding Officer

COPIES FURNISHED TO:

Bureau of Professional Practices  
Bureau of Teacher Certification  
*Florida Administrative Law Reports*

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

Assistant Superintendent  
Human Resources  
Brevard County Schools  
2700 Judge Fran Jamieson Way  
Viera, FL 32940-6699

Probation Office


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 Nicole Meglio, [REDACTED] [REDACTED] Palm Bay, Florida 32907 and Maurice Arcadier, 2815 West New Haven, Suite 303 & 304, Melbourne, Florida 32904 by Certified U.S. Mail and by electronic mail to Margaret O'Sullivan Parker, Deputy General Counsel, Suite 1232, Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399-0400 and to Ron Weaver, Esquire, P.O. Box 5675, Douglasville, Georgia 30154 this 13<sup>th</sup> day of **March**, 2012.

  
\_\_\_\_\_  
Janice Harris,  
Education Practices Commission

STATE OF FLORIDA  
EDUCATION PRACTICES COMMISSION

NOV 14 2011

JOHN L. WINN, as  
Commissioner of Education

Petitioner,

vs.

CASE NO. 101-1814

NICOLE MEGLIO,

Respondent.

SETTLEMENT AGREEMENT AMENDING ADMINISTRATIVE COMPLAINT

Petitioner and Respondent hereby stipulate and agree as follows:

1. **Certification.** Respondent holds Florida Educator's Certificate Number 1130207 issued by the Department of Education covering the areas of Elementary Education, English for Speakers of Other Languages (ESOL), Reading, Severe or Profound Disabilities, and Exceptional Student Education, which is valid through June 30, 2015.

2. **Allegations.**

- a. Petitioner amends the Administrative Complaint by striking paragraph 2.
- b. 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.

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

4. **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 Amending Administrative Complaint.

5. **Violation.** In the event Respondent fails to comply with each condition set forth herein, she agrees that the Petitioner shall be authorized to file an Administrative Complaint or a Notice of Violation with the EPC seeking sanctions against her Florida educator's certificate up to and including permanent revocation of her 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 Amending Administrative Complaint.

6. **Costs and Fees.** Respondent agrees that any costs associated with the fulfillment of the terms of this Settlement Agreement Amending Administrative Complaint shall be her 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.

7. **Force and Effect.** This Settlement Agreement Amending Administrative Complaint constitutes an offer of settlement of disputed issues of material fact until accepted and executed by all parties. The Settlement Agreement Amending Administrative Complaint is void and has no force or effect unless executed by all parties and accepted by the EPC. If the Settlement Agreement Amending Administrative Complaint 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.

8. **Notice of "Three Strikes" Provision.** Respondent is hereby put on notice that Section 1012.795(6)(b), Florida Statutes, 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.

9. **Waiver of Rights.** Respondent understands provisions of this Settlement Agreement, their legal effect, and her 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 her 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 Amending Administrative Complaint. Respondent further acknowledges that she is under no duress, coercion or undue influence to execute this Settlement Agreement Amending Administrative Complaint and that she has had the opportunity to receive the advice of legal counsel prior to signing this Settlement Agreement Amending Administrative Complaint.

10. **Approval.** When fully executed, this Settlement Agreement Amending Administrative Complaint 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 Amending Administrative Complaint as the basis for its Final Order in this proceeding. The parties understand that the EPC has the discretion to reject this Settlement Agreement Amending Administrative Complaint 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.

11. **Notice.** Respondent waives all statutory and regulatory provisions concerning notice of hearing and agrees that this Settlement Agreement Amending Administrative Complaint 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.

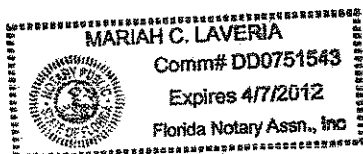
**(SIGNATURES AND NOTARIZATION ON FOLLOWING PAGE)**

IN WITNESS WHEREOF, the parties have executed this Settlement Agreement  
Amending Administrative Complaint on this  
11 day of 11, 20 11.

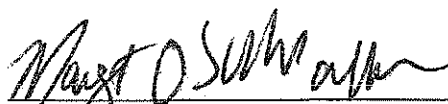
  
\_\_\_\_\_  
NICOLE MEGLIO

STATE OF FLORIDA  
COUNTY OF Brevard

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of  
November, 20 11, by Nicole Meglio,  
who is \_\_\_\_\_ personally known or produced Florida Driver's license  
as identification [type of identification produced].



  
\_\_\_\_\_  
NOTARY PUBLIC  
My commission expires:

  
\_\_\_\_\_  
MARGARET O'SULLIVAN PARKER  
Deputy General Counsel  
Suite 1244, Turlington Building  
325 West Gaines Street  
Tallahassee, Florida 32399-0400  
Telephone (850) 245-0443  
Facsimile (850) 245-9425

ATTORNEY FOR PETITIONER

  
\_\_\_\_\_  
MAURICE ARCADIER, ESQUIRE  
Arcadier & Associates, P.A.  
Executive West Building  
2815 West New Haven, Suite 303 & 304  
Melbourne, Florida 32904  
Telephone (321) 953-5998  
Facsimile (321) 953-6075

ATTORNEY FOR RESPONDENT

**THE ADMINISTRATIVE COMPLAINT OR NOTICE OF REASONS CONTAINS CONFIDENTIAL INFORMATION AND IS EXEMPT FROM PUBLIC RECORD**

Confidential information may include:

- ❖ Victim of sexual assault
- ❖ Medical or mental health records
- ❖ Sealed or expunged records
- ❖ Minor names or information that identifies a minor

As provided in Chapter 1012, Florida Statutes, Florida public school districts are provided access to the information associated with the disciplinary action.





**EDUCATION PRACTICES COMMISSION**  
STATE OF FLORIDA

**KATHLEEN RICHARDS**  
Executive Director

**DANIEL BIGGINS**  
Counsel

**MARK STRAUSS**  
Chairperson

**DAVID THOMPSON**  
Co-Chairperson

March 9, 2012

Nicole Meglio

[REDACTED]  
Palm Bay, Florida 32907

Re: John L. Winn vs. Nicole Meglio  
EPC No.: 11-0429-RT; DOE No.: 1130207

Dear Ms. Meglio:

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 that reads "Mark Strauss".

Mark Strauss  
Presiding Officer