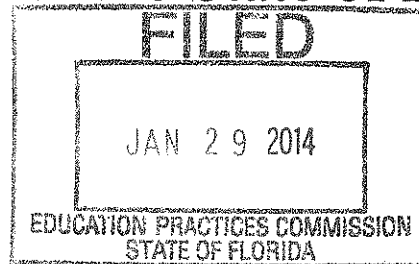




# Before the Education Practices Commission of the State of Florida

DR. TONY BENNETT, as the  
Commissioner of Education,

Petitioner,



vs.

BELKYS MARIE COPIN,

Respondent.

EPC CASE N<sup>o</sup>: 13-0320-RT

Index N<sup>o</sup>: 14-035-AS

PPS N<sup>o</sup>: 112-0640

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## Final Order

Respondent, Belkys Marie Copin, holds Florida educator's certificate no. 933492. Petitioner has filed an Administrative Complaint seeking suspension, revocation, permanent revocation or other disciplinary action against the certificate.

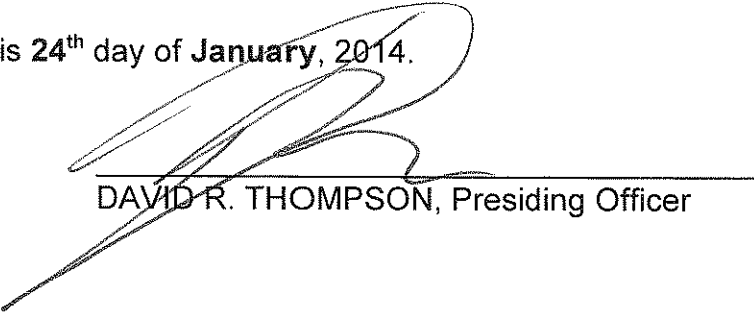
Petitioner and Respondent have entered into a Settlement Agreement for resolution of this cause. The Settlement Agreement and the Administrative Complaint are attached to and made a part of this Final Order.

A Teacher Hearing Panel of the Education Practices Commission met on January 24, 2014, 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 24<sup>th</sup> day of January, 2014.



DAVID R. THOMPSON, Presiding Officer

COPIES FURNISHED TO:

Bureau of Professional Practices

Bureau of Teacher Certification

*Florida Administrative Law Reports*

Superintendent of Schools  
Dade County Schools  
1450 NE Second Avenue #912  
Miami, FL 33132

Director  
Office of Professional Standards  
Dade County Schools  
1500 Biscayne Blvd., Suite 222  
Miami, FL 33132

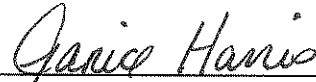
Rachel Clark  
Assistant Attorney General

**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 Belkys Marie Copin, [REDACTED] Miami, Florida 33126 and Patricia A. Draper, Post Office Box 1547, Tallahassee, Florida 32302 by Certified U.S. Mail and by electronic mail to Paul Rendleman, Assistant General Counsel, Suite 1232, Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399-0400 this 29<sup>th</sup> day of **January**, 2014.



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Janice Harris,  
Education Practices Commission

STATE OF FLORIDA  
EDUCATION PRACTICES COMMISSION

SEP 11 2013

DR. TONY BENNETT, as  
Commissioner of Education

Petitioner,

vs.

CASE NO. 112-0640

BELKYS MARIE COPIN,

Respondent.

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**SETTLEMENT AGREEMENT**

Petitioner and Respondent hereby stipulate and agree as follows:

1. **Certification.** Respondent holds Florida Educator's Certificate Number 933492 issued by the Department of Education covering the areas of English for Speakers of Other Languages (ESOL) and Exceptional Student Education, which was valid through June 30, 2013.

2. **Employment.** At all times pertinent hereto, Respondent was employed as an Exceptional Student Education Teacher at Jose de Diego Middle School in the Miami-Dade 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. **Permanent Revocation and Permanent Bar from Re-Application.** Respondent agrees to accept permanent revocation of her Florida educator's certificate, commencing upon the issuance of the Final Order entered by the Education Practices Commission (EPC) accepting this settlement agreement. (Permanent revocation means that Respondent may never again teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students.) Respondent also agrees to be permanently barred from re-applying for or holding a Florida educator's certificate. (Permanent bar from re-application means the Respondent may never again apply for a Florida educator's certificate.)

5. **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.

6. **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.

7. **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 she may appear before the EPC in order to urge the adoption of this Settlement Agreement. Respondent further acknowledges that she is under no duress, coercion or undue influence to execute this Settlement Agreement and that she has had the opportunity to receive the advice of legal counsel prior to signing this Settlement Agreement.

8. **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.

9. **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.

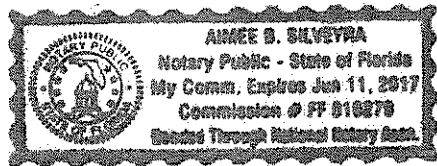
(SIGNATURES AND NOTARIZATION ON FOLLOWING PAGE)

IN WITNESS WHEREOF, the parties have executed this Settlement Agreement on this 6th day of September, 2013.

B Copin  
BELKYS MARIE COPIN

STATE OF FLORIDA  
COUNTY OF miami - dade

The foregoing instrument was acknowledged before me this 6th day of September, 2013, by Belkys M. Copin, who is personally known or produced FOL as identification [type of identification produced].



Aimee B. Silveira  
NOTARY PUBLIC  
My commission expires: 6/11/17

Paul Rendleman  
PAUL RENDLEMAN  
Assistant 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

Patricia A. Draper  
PATRICIA A. DRAPER, ESQUIRE  
Meyer, Brooks, Demma & Blohm, P.A.  
131 North Gadsden Street  
Tallahassee, Florida 32301  
Telephone (850) 878-5212  
Facsimile (850) 656-6750

ATTORNEY FOR RESPONDENT

STATE OF FLORIDA  
EDUCATION PRACTICES COMMISSION

DR. TONY BENNETT, as  
Commissioner of Education,

Petitioner,

vs.

CASE NO. 112-0640

BELKYS MARIE COPIN,

Respondent.

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ADMINISTRATIVE COMPLAINT

Petitioner, Dr. Tony Bennett, as Commissioner of Education, files this Administrative Complaint against BELKYS MARIE COPIN. The Petitioner seeks the appropriate disciplinary sanction of the Respondent's educator's certificate pursuant to Sections 1012.315, 1012.795, and 1012.796, Florida Statutes, and pursuant to Rule 6A-10.081, 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 933492, covering the areas of English for Speakers of Other Languages (ESOL) and Exceptional Student Education, which was valid through June 30, 2013.

2. At all times pertinent hereto, the Respondent was employed as an Exceptional Student Education Teacher at Jose de Diego Middle School in the Miami-Dade County School District.

MATERIAL ALLEGATIONS

3. During the 2010/2011 school year, Respondent engaged in an inappropriate relationship with [REDACTED] a 12-year-old, female, Emotional Behavioral Disorder (EBD) student. Respondent exchanged multiple text messages with [REDACTED] in which Respondent requested that [REDACTED] send a picture of her vagina to Respondent. During the administration of the Florida Comprehensive Assessment Test (FCAT), Respondent sent [REDACTED] a text instructing her to go to the restroom, take a picture of her vagina and text it to Respondent. Respondent sent at least one text

to [REDACTED] containing a picture of a vagina with a hand next to it.

4. On or about March 7, 2012, the District accepted Respondent's resignation effective February 1, 2012, in lieu of termination from her teaching position.

The Petitioner charges:

**STATUTE VIOLATIONS**

**COUNT 1:** The Respondent is in violation of Section 1012.795(1)(d), Florida Statutes, in that Respondent has been guilty of gross immorality or an act involving moral turpitude as defined by rule of the State Board of Education.

**COUNT 2:** The Respondent is in violation of Section 1012.795(1)(g), 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 3:** The Respondent is in violation of Section 1012.795(1)(j), 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 6A-10.081(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 6A-10.081(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 6A-10.081(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 7:** The allegations of misconduct set forth herein are in violation of Rule 6A-10.081(3)(h), Florida Administrative Code, in that Respondent has exploited a relationship with a student for personal gain or advantage.

**(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; determining the Respondent to be ineligible for certification; 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 8 day of July, 2013.



DR. TONY BENNETT as  
Commissioner of Education  
State of Florida