



Before the Education Practices Commission of the State of Florida

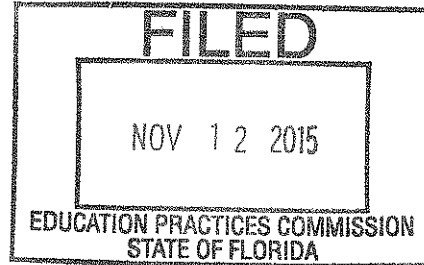
PAM STEWART as the
Commissioner of Education,

Petitioner,

vs.

SYBIL EMMONS,

Respondent.



EPC CASE N^o: 15-0215-RT
Index N^o: 15-321-FOI
PPS N^o 123-2829

Final Order

Respondent, Sybil Emmons, holds Florida educator's certificate no. 720413. Petitioner has filed an Administrative Complaint seeking suspension, revocation, permanent revocation or other disciplinary action against the certificate. A copy of the Administrative Complaint is attached to and made a part of this Order.

Service of the Administrative Complaint was made upon Respondent by certified mail. Respondent has failed to respond to the Administrative Complaint and has not requested a hearing or any other proceeding.

This cause came before a teacher panel of the Education Practices Commission on September 15, 2015, in West Palm Beach, Florida. Respondent was not present at the meeting.

The Commission finds that Respondent was properly served with the Administrative Complaint, has failed to respond timely, and has waived any right to be heard.

Since Respondent has not replied to the Administrative Complaint and has not contested the factual allegations, Petitioner offered the investigative file into evidence to prove the facts as alleged in the Administrative Complaint. The Commission finds these materials clearly and convincingly support the allegations and establish a prima facie case.

FINDINGS OF FACT

The allegations of fact in paragraphs 1 through 3 of the Administrative Complaint are adopted as findings of fact by the panel.

CONCLUSIONS OF LAW

1. The conclusions of law alleged in counts 1 through 2 of the Administrative Complaint are adopted as conclusions of law by the panel.
2. There is competent, substantial evidence to support the panel's conclusions.
3. The violations committed by Respondent warrant disciplinary action by the Education Practices Commission.

PENALTY

Upon consideration, it is ORDERED:

1. Respondent is hereby issued a letter of reprimand.
2. Respondent's Florida educator's certificate is hereby suspended for a period of 2 years from the date of this Final Order.
3. Upon employment in any public or private position requiring a Florida educator's certificate, Respondent shall be placed on 2 employment years of probation with the conditions that during that period, she shall:

A. Immediately notify the investigative office in the Department of Education upon employment or termination of employment in the state in any public or private position requiring a Florida educator's certificate.

B. Have Respondent's immediate supervisor submit annual performance reports to the investigative office in the Department of Education.

C. Pay to the Commission during the first 6 months of each probation year the administrative costs (\$150) of monitoring probation assessed to the educator.

D. Violate no law and shall fully comply with all district school board policies, school rules, and State Board of Education rules.

E. Satisfactorily perform all assigned duties in a competent, professional manner.

F. Bear all costs of complying with the terms of a final order entered by the Commission.

G. Refrain from transporting minor students in or on motor vehicles.

4. Respondent is assessed an administrative fine of \$750.00 to be paid within one year from the date of this Final Order.

5. As part of the Recovery Network Program (RNP), Respondent is responsible for all costs associated with the evaluation, treatment, counseling, and testing required through their participation in the RNP, and shall:

A. Submit to a Substance Abuse Evaluation relating to the issues cited in the Administrative Complaint as determined by the RNP and conducted by an RNP approved licensed provider and undergo any counseling or treatment as may be prescribed by said professional. If, to fulfill this requirement, Respondent must now

engage in such counseling, have the professional submit quarterly reports to the RNP. Respondent shall 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 OR within sixty (60) days of the initial date of employment in a position requiring a Florida educator's certificate, whichever occurs later.

B. Provide written verification from an RNP approved licensed provider, to the degree that the treatment provider(s) may ethically predict, that at the time of the evaluation, the educator poses no threat to children and is capable of assuming the responsibilities of an educator.

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 evaluations(s) and treatment and/or counseling, if acceptable to the RNP.

This order shall become effective upon filing with the Clerk of the Commission.

DONE AND ORDERED, this 29th day of ~~October~~, 2015.



DAVID R. THOMPSON, Presiding Officer

COPIES FURNISHED TO:

Office of Professional Practices
Services

Bureau of Educator Certification

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

Lee Ann Gustafson
Assistant Attorney General

Recovery Network Program
for Educators

Probation Office


Claudia Llado, Clerk
Division of Administrative Hearings

NOTICE OF RIGHT TO JUDICIAL REVIEW

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 Sybil Emmons, [REDACTED] Cocoa, Florida 32922 by Certified U.S. Mail and by electronic mail to Bonnie Wilmot, Deputy General Counsel, Suite 1232, Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399-0400 this 12th day of **November**, 2015.



Gretchen Kelley Brantley, Clerk
Education Practices Commission

**PARTS OF THIS ADMINISTRATIVE COMPLAINT
ARE CONFIDENTIAL**

Contents of this file are confidential and exempt from public record. Confidential records may include such materials as:

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

GRETCHEN KELLEY BRANTLEY
Executive Director

DAVID R. THOMPSON
Chairperson

LEE ANN GUSTAFSON
Counsel

CHRISTIE GOLD
Co-Chairperson

October 29, 2015

Sybil Emmons

[REDACTED]
Cocoa, Florida 32922

Re: Pam Stewart vs. Sybil Emmons
EPC No.: 15-0215-RT; DOE No.: 720413

Dear Ms. Emmons:

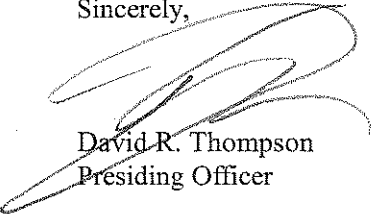
As you know, the teacher panel of the Education Practices Commission reviewed the matter pending against you. The panel concluded that you violated the Principles of Professional Conduct for the Education Profession prescribed by the State Board of Education rules and hereby reprimands you for the conduct alleged in the Administrative Complaint which is incorporated herein.

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,


David R. Thompson
Presiding Officer